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FOURTEENTH REGULAR SESSION

—OF THE—

LEGISLATIVE ASSEMBLY,

OF THE

TERRITORY OF MONTANA,

HELD IN HELENA, THE SEAT OF GOVERNMENT OF SAID TERRITORY, COMMENCING JANUARY 12, A. D. 1885, AND ENDING MARCH 12, A. D. 1885.

PUBLISHED BY AUTHORITY.

ROBERT E. FISK,
PUBLIC PRINTER AND BINDER,
Helena, Montana.
1885.

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HOUSE JOURNAL

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MEMBERS OF THE 14th LEGISLATIVE ASSEMBLY.

HOUSE OF REPRESENTATIVES.

NAMES.	COUNTIES REPRESENTED.	POST OFFICE.
JAMES E. CALLAWAY, Speaker.....	Madison.....	Virginia City
J. T. BALDWIN.....	Silver Bow.....	Butte
S. F. B. BIDDLE.....	Custer.....	Miles City
CLYDE EASTMAN.....	Missoula.....	Thompson's Falls
MARTIN L. EMIGH.....	Missoula.....	Corvallis
VAN H. FISK.....	Jefferson.....	Bedford
JOHN F. FORBIS.....	Silver Bow.....	Butte
GEORGE M. HATCH.....	Meagher.....	Big Elk
J. M. HOLT.....	Custer.....	Miles City
J. H. JURGENS.....	Lewis and Clarke.....	Marysville
CONRAD KOHRS.....	Deer Lodge.....	Deer Lodge
P. J. MOORE.....	Meagher.....	Martindale
GEORGE R. NICHOLS.....	Gallatin.....	Bozeman
W. H. NORTON.....	Yellowstone.....	Stillwater
J. M. PAGE.....	Beaverhead and Madison.....	Twin Bridges
F. L. PERKINS.....	Deer Lodge.....	Phillipsburg
B. F. POTTS.....	Lewis and Clarke.....	Helena
JOHN M. ROBINSON.....	Gallatin.....	Bozeman
A. J. SELIGMAN.....	Jefferson, and Lewis and Clarke.....	Helena
H. M. SLOAN.....	Gallatin.....	Livingston
W. O. SPEER.....	Silver Bow.....	Butte
JESSE F. TAYLOR.....	Choteau.....	Choteau
GEORGE R. TINGLE.....	Dawson.....	Glendive
JAY WELLS.....	Beaverhead.....	Dillon

SUBORDINATE OFFICERS.

HARRY H. DAVIS.....	Chief Clerk	REV. FREDERICK T. WEBB.....	Chaplain
FRED. H. FOSTER.....	En. and Eng. Clerk	THOMAS B. WARREN.....	Sergt. at Arms
MATT McGUIRK.....	Watchman	ROBERT MERRIAM.....	Messenger

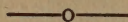
COUNCIL.

NAMES.	COUNTIES REPRESENTED.	POST OFFICE.
F. K. ARMSTRONG, President.....	Gallatin.....	Bozeman
MARTIN BARRETT.....	Beaverhead.....	Bannack
H. R. BUCK.....	Choteau.....	Fort Benton
ED. CARDWELL.....	Jefferson.....	Cold Springs
WILLIAM A. CHESSMAN.....	Lewis and Clarke.....	Helena
W. H. COTANT.....	Custer.....	Miles City
STEPHEN DeWOLFE.....	Silver Bow.....	Butte
JAMES FERGUS.....	Meagher.....	Fort Maginnis
F. L. GREENE.....	Dawson and Yellowstone.....	Billings
WILL KENNEDY.....	Missoula.....	Missoula
A. H. MITCHELL.....	Deer Lodge.....	Deer Lodge
WILLIAM W. MORRIS.....	Madison.....	Madison

SUBORDINATE OFFICERS.

DAVID MARKS.....	Chief Clerk	REV. L. L. WOOD.....	Chaplain
S. W. LANGHORNE.....	En. and Eng. Clerk	AMOS CALVIN.....	Sergt. at Arms
W. H. JOHNSON.....	Watchman	JAMES J. McEVILLY.....	Messenger

DIRECTORY OF TERRITORIAL AND FEDERAL OFFICERS OF MONTANA.



DELEGATE IN CONGRESS.

JOSEPH K. TOOLE.....Helena

EXECUTIVE DEPARTMENT.

GOVERNOR.

B. P. CARPENTER.....Helena

SECRETARY.

JOHN S. TOOKER.....Helena

AUDITOR.

JOSEPH P. WOOLMAN.....Helena

TREASURER.

DANIEL H. WESTON.....Helena

SUPERINTENDENT OF PUBLIC INSTRUCTION.

W. P. WYLIE.....Bozeman

ATTORNEY GENERAL.

WM. H. HUNT.....Fort Benton

JUDICIAL DEPARTMENT.

SUPREME COURT.

D. S. WADE, Chief Justice.....Helena

WM. J. GALBRAITH, Associate Justice.....Deer Lodge

JOHN COBURN, Associate Justice.....Bozeman

ISAAC R. ALDEN, Clerk.....Helena

CORNELIUS HEDGES, Reporter.....Helena

FIRST DISTRICT.

JOHN COBURN, Judge.....Bozeman

THEO. MUFFLY, Clerk.....Virginia City

HENRY N. BLAKE, District Attorney.....Virginia City

SECOND DISTRICT.

WM. J. GALBRAITH, Judge.....Deer Lodge

REUBEN L. DAVIS, Clerk.....Deer Lodge

W. Y. PEMBERTON, District Attorney.....Butte

THIRD DISTRICT.

DECIUS S. WADE, Judge.....Helena

BENJ. H. TATEM, Clerk.....Helena

WM. H. HUNT, District Attorney.....Fort Benton

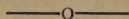
UNITED STATES.

ALEX. C. BOTKIN, Marshal.....Helena

WM. H. DE WITT, District Attorney.....Butte

E. D. WEED, Deputy District Attorney.....Helena

FEDERAL OFFICERS.



COLLECTOR OF CUSTOMS.

THOS. A. CUMMINGS.....Fort Benton

INTERNAL REVENUE.

THOMAS P. FULLER, Collector.....Helena
THOS. H. IRVIN, Deputy Collector First Division.....Miles City
JOHN MOFFITT, Deputy Collector Second Division.....Helena
GEORGE F. MARSH, Deputy Collector Third Division... Butte
JOSEPH SMITH, Deputy Collector Fourth Division.....Virginia City

LAND OFFICES.

SURVEYOR GENERAL.

JOHN S. HARRIS.....Helena

HELENA DISTRICT.

FRANCIS ADKINSON, Register.....Helena
Z. T. BURTON, Receiver.....Helena

BOZEMAN DISTRICT.

O. P. CHISHOLM, Register.....Bozeman
JOHN T. CARLIN, Receiver.....Bozeman

MILES CITY DISTRICT.

WASHINGTON CARR, Register.....Miles City
C. H. GOULD, Receiver.....Miles City

ASSAY OFFICE AT HELENA.

RUSSELL B. HARRISON, Assayer.....Helena
M. A. MEYENDORFF, Melter.....Helena

FOURTEENTH LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF MONTANA.

HOUSE JOURNAL.

FIRST DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 12, 1885.

Pursuant to a custom which has obtained in the territory of Montana, David Marks, chief clerk of the thirteenth legislative house, at 12 m., called the roll of members returned as elected to the house of the fourteenth legislative assembly from the various counties of Montana territory, as evidenced by the election returns deposited with the territorial auditor, and the following named gentlemen appeared and answered to their names, to-wit:

J. T. Baldwin, Butte, Silver Bow county.
S. F. B. Biddle, Miles City, Custer county.
J. E. Callaway, Virginia City, Madison county.
Clyde Eastman, Thompson Falls, Missoula county.
M. L. Emigh, Corvallis, Missoula county.
Van H. Fisk, Bedford, Jefferson county.
J. F. Forbis, Butte, Silver Bow county.
G. M. Hatch, Big Elk, Meagher county.
J. M. Holt, Miles City, Custer county.
J. H. Jurgens, Marysville, Lewis and Clarke county.
Conrad Kohrs, Deer Lodge, Deer Lodge county.
P. J. Moore, Martinsdale, Meagher county.
G. R. Nichols, Bozeman, Gallatin county.
W. H. Norton, Stillwater, Yellowstone county.

J. M. Page, Twin Bridges, Beaverhead and Madison counties.
 B. F. Potts, Helena, Lewis and Clarke county.
 J. M. Robinson, Bozeman, Gallatin county.
 A. J. Seligman, Helena, Jefferson and Lewis and Clarke counties.
 H. M. Sloan, Livingston, Gallatin county.
 W. O. Speer, Butte, Silver Bow county.
 J. F. Taylor, Choteau, Choteau county.
 G. R. Tingle, Glendive, Dawson county.
 Jay Wells, Dillon. Beaverhead county.

Absent, F. L. Perkins, Deer Lodge county.

On motion of B. F. Potts, A. J. Seligman was elected speaker *pro tem*.

On motion of Callaway, Hatch was elected chief clerk *pro tem*.

On motion of Potts, the chair appointed Messrs. Potts, Forbis, and Fisk to wait upon chief justice D. S. Wade, and ask him to appear in the house and administer the oath of office to the members.

On motion of Eastman, the house took a recess until the return of the committee.

Special committee to wait upon the chief justice reported that the duty assigned the committee had been performed, and that Chief Justice Wade was upon the floor of the house.

Chief Justice D. S. Wade then appeared and administered the oath of office to the members whose names are attached to the following copy of the oath.

TERRITORY OF MONTANA, }
 County of Lewis and Clarke, } ss.

The undersigned being first duly sworn, each for himself, and not one for the other, deposes and says :

I do solemnly swear that I will support, protect, and defend the constitution of the United States and the organic act of the territory of Montana, and that I will discharge the duties of my office with fidelity ; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my election, except for necessary and proper expenses expressly authorized by law ; that I have not knowingly

violated any election law of this territory, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law.

John T. Baldwin.
James E. Callaway.
Clyde Eastman.
Martin Emigh.
Van H. Fisk.
S. F. B. Biddle.
John F. Forbis.
George M. Hatch.
J. M. Holt.
J. H. Jurgens.
Conrad Kohrs.
P. J. Moore.

George R. Nichols.
W. H. Norton.
J. M. Page.
B. F. Potts.
J. M. Robinson.
A. J. Seligman.
H. M. Sloan.
W. O. Speer.
J. F. Taylor.
George R. Tingle.
Jay Wells.

Sworn to and subscribed before me this twelfth day of January,
A. D. 1885.

D. S. WADE,
Chief Justice of Montana.

On motion of Jurgens a vote of thanks was tendered to Chief Justice Wade for his kindness and courtesy in administering the oath.

On motion of Norton the house proceeded to effect a permanent organization.

The following nominations were then made for permanent speaker:

By Speer, J. E. Callaway, of Madison; by Taylor, J. F. Forbis, of Silver Bow.

On motion the house proceeded to vote by ballot upon the office of speaker.

The chair appointed Messrs. Tingle and Eastman as tellers.

The ballot resulted as follows: Callaway, 14; Forbis, 8; Taylor, 1.

Mr. Callaway, having received a majority of all the votes cast, was declared elected speaker of the house.

Seligman, speaker *pro tem.*, appointed Potts and Forbis a committee to conduct the speaker to the chair.

The following named gentlemen were placed in nomination for the office of chief clerk:

By Seligman, Harry H. Davis; by Biddle, O. B. Totten.

The ballot resulted as follows: H. H. Davis, 15; O. B. Totten, 8.

Harry H. Davis, having received a majority of all the votes cast, was declared elected permanent chief clerk of the house.

The following named gentlemen were placed in nomination for enrolling and engrossing clerk:

By Norton, Fred H. Foster; by Tingle, H. M. Payne.

The ballot resulted as follows: Foster, 15; Payne, 8.

Fred H. Foster, having received a majority of all the votes cast, was declared elected enrolling and engrossing clerk.

The following named gentlemen were placed in nomination for the position of sergeant-at-arms:

By Eastman, T. B. Warren; by Forbis, Hardenbrook.

The ballot resulted as follows: T. B. Warren, 15; Hardenbrook, 8.

T. B. Warren, having received a majority of all the votes cast, was declared elected sergeant-at-arms.

The following youths were placed in nomination for the position of messenger:

By Fisk, R. O. Merriman.

By Taylor, Ashby Steele.

The ballot resulted as follows: Merriman, 15; Steele, 7; Gaspin, 1.

Master R. O. Merriman, having received a majority of all the votes cast, was declared elected as messenger.

The following named gentlemen were placed in nomination for the position of watchman:

By Nichols, M. McGuirk.

By Baldwin, J. McEvelly.

The ballot resulted as follows: McGuirk, 16; McEvelly, 7.

M. McGuirk, having received a majority of all the votes cast, was declared elected as watchman.

The following named gentlemen were placed in nomination for chaplain:

By Potts, Rev. J. J. Garvin.

By Tingle, Rev. F. T. Webb.

The ballot resulted as follows: Rev. J. J. Garvin, 11; Rev. F. T. Webb, 12.

Rev. F. T. Webb was duly declared elected chaplain.

Seligman offered the following resolution:

Resolved, that the rules of the last house of representatives be adopted as the rules of this house until otherwise ordered. Carried.

On motion of Biddle the house adjourned until 10 o'clock, a. m. to-morrow.

GEORGE M. HATCH,
Chief Clerk, *pro tem*.

SECOND DAY.

HOUSE OF REPRESENTATIVES,
January 13, 1885.

House met pursuant to adjournment at 10 o'clock, a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the first day read and approved.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce the following bills, to-wit:

A bill for an act to punish and suppress prize fighting in the territory of Montana.

A bill for an act to repeal an act to amend an act to provide for the payment of stock killed or injured by railroads.

A bill for an act to repeal an act to increase the compensation and mileage of county commissioners. POTTS.

Mr. Speaker:

I hereby give notice that to-morrow or at some subsequent day of the session I will introduce the following bills, to-wit:

1. An act to amend section 909 of the fifth division of the revised statutes of 1879 of the territory of Montana.

2. An act concerning oaths of office.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that I will on to-morrow or on some future day introduce a bill entitled "An act relating to the registration of voters,"

JAY WELLS.

On motion of Seligman the following resolution was adopted :

H. R. No. 1. *Resolved*, that a message be sent to the council informing that body that the house of representatives is duly organized and ready to proceed to business.

Pursuant to this resolution the chair appointed as a committee for this purpose Messrs. Seligman, Forbis, and Wells.

On motion of Potts the following resolution was adopted :

Resolved, by the legislative assembly of Montana, that a committee of two on the part of the council and three on the part of the house be appointed to inform the governor that the legislature has organized and is ready to receive any communication he may have to make.

The speaker gave notice that he would on to-morrow announce the standing committees.

Norton moved to adjourn until 10 a. m. to-morrow.

Biddle moved to amend by adjourning until 11 a. m. The amendment was excepted by Norton and the motion as amended was lost.

On motion of Nichols the house adjourned until 10 a. m. to-morrow.

HARRY H. DAVIS.

Chief Clerk.

THIRD DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 14, 1885.

House met pursuant to adjournment at 10 a. m.

Mr. Speaker in the chair.

Roll called—all members present.

Prayer by the chaplain.

Journal of the second day read and approved.

The speaker announced the following standing committees :

Ways and means—Potts, Kohrs, Tingle, Hatch, Baldwin.

Judiciary—Speer, Forbis, Potts, Baldwin, Eastman.

Territorial affairs—Hatch, Emigh, Perkins, Robinson, Holt.
 Internal improvements—Emigh, Fisk, Nichols, Moore, Biddle.
 Roads and highways—Jurgens Page, Perkins, Sloan, Holt.
 Public lands—Page, Norton, Taylor, Emigh, Forbis.
 Grazing and stock growing—Kohrs, Potts, Tingle, Hatch, Taylor.
 Federal relations—Nichols, Speer, Eastman, Biddle, Tingle.
 Education and labor—Wells, Seligman, Biddle, Baldwin, Norton.
 Towns and counties—Norton, Emigh, Hatch, Robinson, Sloan.
 Military affairs—Potts, Robinson, Page, Moore, Speer.
 Incorporations—Perkins, Emigh, Forbis, Biddle, Seligman.
 Agriculture and manufactures—Fisk, Kohrs, Nichols, Moore, Holt.

Elections—Forbis, Seligman, Wells, Norton, Perkins.
 Indian affairs—Eastman, Hatch, Taylor, Tingle, Jurgens.
 Mines and minerals—Seligman, Wells, Perkins, Baldwin, Moore.
 Engrossment—Nichols, Biddle, Wells.
 Enrollment—Tingle, Hatch, Eastman.
 Printing—Fisk, Norton, Jurgens, Holt, Moore.

The following report was received :

We, your committee appointed to wait upon the honorable the council, and inform that body that this house is organized and ready to proceed to legislative business, has the honor to report that they have performed that duty.

A. J. SELIGMAN.
 J. F. FORBIS.
 JAY WELLS.

The following notices were received.

Mr. Speaker :

I hereby give notice that I will to-morrow or at some subsequent session of the legislative assembly introduce a bill regarding amendments to the license laws.

A. J. SELIGMAN.

Mr. Speaker :

I will, on to-morrow, or at some future day, introduce a bill for the relief of William A. Clark. Also a bill for the creation of the office of county attorney.

JOHN F. FORBIS.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill to amend an act entitled an act to create the county of Yellowstone.

NORTON.

Mr. Speaker:

I give notice that on to-morrow or some subsequent day I will introduce a bill to create the county of Valley, and for the election of officers thereof.

FISK.

Bills were introduced as follows:

By Seligman—H. B. No. 1, "An act to amend section 909 of the fifth division of the revised statutes of 1879." Also

H. B. No. 2, "An act concerning oaths of office."

By Potts—H. B. No. 3, "An act to punish and suppress prize fighting in the territory of Montana." Also

H. B. No. 4, "An act to repeal an act to provide for the payment of stock killed or injured by railroads, approved February 23, 1881, and to repeal an act to amend an act to provide for the payment of stock killed or injured by railroads, approved March 2, 1883."

H. B.'s Nos. 1, 2 and 3 were read first and second times and referred to committee on judiciary.

H. B. No. 4 was read first and second times, and Potts moved it be referred to committee on judiciary. Motion lost and it was referred to committee on grazing and stock growing.

The following communications were received from the council:

COUNCIL CHAMBER, January 14, 1885.

RESOLVED, that a committee of two be appointed by the chair to proceed to the hall of the house and inform that body that the council has organized by the election of the following officers, to-wit:

President—F. K. Armstrong.

Chief clerk—David Marks.

Enrolling and engrossing clerk—S. W. Langhorne.

Sergeant at arms—Amos Calvin.

Watchman—J. H. Johnson.

Messenger—Jas. J. McEvily.

Chaplain—Rev. L. L. Wood.

And that the council is ready to proceed with the business of the session.

GREENE.

COUNCIL CHAMBER,
Helena, Montana, January 14, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that council adopted the following resolution:

RESOLVED, that the house of representatives concurring, that a committee of five, consisting of two members of the council and three of the house, be appointed by the chair to wait upon the governor and inform him that the two houses have organized permanently and are ready to receive any communication he may have to make.

In conformity to said resolution the chair appointed Messrs. Morris and Buck on the part of the council.

DAVID MARKS, Chief Clerk.

In conformity to the above resolution the chair appointed Messrs. Potts, Tingle and Eastman on the part of the house.

The following was introduced :

Moved, that a committee on rules consisting of three members be appointed by the speaker. FISK.

And on motion of Fisk was adopted.

The chair appointed as such committee Messrs. Baldwin, Seligman and Sloan.

The following notices were received :

Mr. Speaker:

I would ask unanimous consent to introduce without previous notice house joint memorial to the congress of the United States concerning the leasing and reduction of the Crow Indian reservation.

NORTON.

The unanimous consent of the house having been obtained Norton introduced H. J. M., No. 1, entitled House Joint Memorial to the Congress of the United States concering the leasing and reduction of the Crow Indian reservation.

Memorial read first and second times. Rules suspended. Considered engrossed. Read third time by title. Passed by the following vote :

Ayes.—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—24.

Noes.—None. Title agreed to.

Tingle moved to adjourn. Motion lost.

On motion of Fisk the house took a recess until 2 p. m.

Two p. m., house resumed.
 Mr. Speaker in the chair.
 Roll called—quorum present.

Mr. Potts submitted the following report :

The joint committee of the two houses appointed to wait on the governor and inform him that the legislature was in session and ready to receive any communication he may have to make, report that they have performed that duty and that the governor will communicate a message forthwith.

W. W. MORRIS,
 H. R. BUCK, Council Committee.
 B. F. POTTS,
 CLYDE EASTMAN,
 GEO. R. TINGLE, House Committee.

On motion of Perkins report received and committee discharged.

The following communication was received :

HELENA, MONT., Jan. 14, 1885.

HON. J. E. CALLAWAY,
 Speaker of the house of representatives.

SIR:—We, the undersigned, appointed by the president of the United States to represent the territory of Montana, at the World's Exposition at New Orleans, submit the following statement of disbursements made and liabilities incurred :

Paid out by W. A. Clark in Butte,	\$1,684 85
Paid out by J. S. Harris in Helena,	757 45
Paid out by J. S. Harris in New Orleans,	3,414 70
	<hr/>
	\$5,857 00
Cash on hand,	843 00
	<hr/>
	\$6,700 00

This \$6,700 was received as follows :

Apportioned by Director General,	\$4,000 00
Apportioned by Director General H. Qr.,	1,000 00
Subscribed by individuals to be returned,	1,700 00
	<hr/>
	\$6,700 00

We respectfully ask an appropriation of \$5,000 by your honorable body for the following purposes :

To refund cash advanced by individuals,	\$1,700 00
To pay for ten thousand pamphlets,	1,500 00
Wanted in New Orleans to complete the work,	1,800 00
	<hr/>
	\$5,000 00

All of which is respectfully submitted.

JOHN S. HARRIS,
WM. A. CLARK,
Commissioners for Montana.

On motion of Forbis this was referred to the committee on ways and means.

Seligman offered the following :

H. J. R. No. 1, entitled "House Joint Resolution for the employment of an assistant to the chief clerk, committee clerks, and an extra messenger."

H. J. R. No. 1, was read first and second times. Forbis offered the following amendment :

Amend by striking out all that portion of the resolution included in the third division and referring to messenger boy. Also amend title on back of resolution to conform to title within.

The amendment was carried by the following vote:

Ayes.—Baldwin, Biddle, Forbis, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Sloan, Taylor, Tingle, Wells.—17.

Noes.—Eastman, Emigh, Fisk, Hatch, Seligman, Speer, Mr. Speaker.—7

H. J. R. No. 1, as amended, was, on motion of Sloan, referred to the committee on ways and means.

On motion of Tingle the house took a recess until 4 p. m.

Four p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following message was received from the governor :

EXECUTIVE OFFICE, HELENA, M. T.

To the Council and House of Representatives :

It is cause for congratulation that you have convened at a time when order is as firmly established, life and property as sacred and

secure, and justice as wisely administered in Montana as in the states. Since the last meeting of the legislative assembly the great increase of the territory in population, wealth, and the opportunities for the development of its exhaustless resources, will give to your deliberations and conclusions an importance that has not characterized any previous session. The knowledge, common to the people, that you are to make laws for a vast territory, which is unsurpassed in America for its salubrity of climate and its wealth in precious metals, and whose plains and valleys are underlaid with fuel and covered by the richest pastures, cannot for a moment escape your minds. It is fortunate that in the constitution of the two branches the choice has been made of so many who have a thorough acquaintance with the varied interests and industries of the territory.

It seems proper that your attention should now be invited to some of the matters that have been deemed worthy of consideration by the people.

1. Although the percentage of crime has largely diminished the penal institutions established for an infant settlement are insufficient for the great increase of population. In the absence of an appropriation by congress to enlarge the penitentiary some provision by you will be necessary for the confinement of convicts.

2. It is suggested that in the near future the criminal law would probably be enforced with less difficulty by the election of a prosecuting officer for each county instead of one for each judicial district.

3. There appears to be good ground for the general opinion that the fees of public officers in the territory are greatly disproportionate, and in some cases, on account of recently improved facilities for travel and transportation, largely in excess of a just compensation for services performed.

4. Much inconvenience would be avoided if the official term of notaries public should expire at some time during the session of the legislative assembly.

5. As a true expression of the popular will can only be obtained through the ballot box it is submitted that it would be wise to provide by law for ascertaining by proper proofs the persons entitled to vote at elections. Whether such a provision should be general or limited in its application to the more populous portions of the territory is also a proper subject for your consideration.

6. For the purpose of statistical information, and the correction of abuses, it seems desirable that public officers, so far as practicable, should be required to make both a detailed and classified report of their official transactions to some supervising authority.

7. The condition of the territorial law library is such that not only the broken sets should be filled, but a reasonable addition should also be made.

8. The commissioners appointed to represent the interests of Montana at the World's industrial and cotton centennial exposition at New Orleans have already performed a work of immense value to the territory. It is reasonable that the territory, for whose benefit their energies have been exerted, should furnish necessary assistance for the completion of their undertaking.

9. The auditor of the territory has reported to me the fact that the expenses of the territorial government for the past year were \$28,558.77 in excess of the revenue. It therefore becomes necessary that the system of taxation, if in any respect faulty, should be so revised, or the expenses of government so reduced, that the revenue derived shall honor all legal demands upon it. It would be greatly to the advantage of Montana that it should long continue to be a fact that she owes not a dollar.

10. As to our federal relations the right of petition will not be denied you. There is now a pressing demand that the penitentiary should be made adequate to the requirements of a largely increased population. Still another question engrosses the attention of the people. As to that, it may be said that millions of acres, now idle, could, without detriment or discomfort to a human being, be opened for use and production; but it is hoped that no disposition of public lands or reserved tracts will be so made as to retard the settlement of the territory.

The reports of the several officers and boards charged with the duty of reporting will be transmitted to you at an early day. From the details of these reports you will obtain accurate information as to the conduct of the different branches of the territorial administration. It is a pleasure to state that no complaint of official misconduct has reached me, and it is a gratification to know that our common school system, excellent in itself and wisely conducted, is furnishing to the youth all the advantages to be found in older communities.

Relying much upon those who committed their early fortunes to a new land to give me the benefit of their wisdom and experience it shall hereafter be my privilege to communicate with you upon matters of public concern as occasion may require. It is hoped that all of the departments of the territorial government will co-operate for the promotion of the general welfare and the advancement of every legitimate interest, without sectional prejudice or partisan bias, so that there may be a just, economical, and enlightened administration of public affairs.

B. P. CARPENTER.

On motion of Forbis the message of the governor was received and made a special order for 2:30 p. m. to-morrow, to be considered in a committee of the whole.

On motion of Seligman the house adjourned until 10 a. m. to-morrow.

HARRY H. DAVIS,
Chief Clerk.

FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 15, 1885.

House met pursuant to adjournment at 10 a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Journal of the third day read and approved.

Mr. Potts presented a communication purporting to be from a convict at the Deer Lodge penitentiary. Read and, on motion of Mr. Potts, laid upon the table.

The following report received:

Mr. Speaker:

Your committee on grazing and stock growing, to whom were referred H. B. No. 4 (An act to repeal an act to provide for the payment of stock killed or injured by railroads), have had the same under consideration, and report the same back to the house, and recommend that the same do pass.

CONRAD KOHRS,
Chairman.

H. B. No. 4 was referred to committee on engrossment.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that I will to-morrow or at some subsequent day of this session introduce a bill concerning the qualification of electors.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that I will to-morrow or at some future day introduce a house joint resolution to provide for the expenses of the Montana exhibit at the World's industrial and cotton centennial exposition now in progress at New Orleans.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that I will to-morrow or some future day introduce a bill creating the county of Park and for the election of officers thereof.

H. M. SLOAN.

Mr. Speaker:

I give notice that I will to-morrow or at some future day introduce a bill for an act defining the duties of county commissioners.

S. F. B. BIDDLE.

Bills were introduced as follows :

By Potts, H. B. No. 5—A bill for an act to amend an act to increase the compensation and mileage of county commissioners, approved January 31, 1883.

Forbis introduced H. J. R. No. 2 "For the relief of William A. Clark."

By unanimous consent Seligman introduced H. J. R. No. 3 "To provide for the expenses of the Montana exhibit at the World's industrial and cotton centennial exposition now in progress in New Orleans."

H. B. No. 5 was read first and second times and referred to committee on ways and means.

H. J. R. No. 2 was read first and second times and referred to committee on ways and means.

H. J. R. No. 3 was read first and second times. Mr. Emigh moved to lay the same upon the table—motion lost.

On motion of Mr. Seligman referred to committee on ways and means.

On motion of Norton the house took a recess until 2 p. m.

Two p. m., house met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called—all members present.

On motion of Seligman the chair appointed Messrs. Page, Jurgens and Taylor as a committee on mileage.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, January 15, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that the council has appointed Messrs. Morris and Chessman on the part of the council to act with a committee of like number of the house upon "joint rules" for the government of the two houses.

DAVID MARKS.
Chief Clerk.

On motion of Forbis the chair appointed Messrs. Baldwin and Seligman on the part of the house to act in connection with the committee appointed by the council.

The following report was received :

Mr. Speaker :

Your committee on printing, to whom the request was made by this honorable body to wait upon the secretary of the territory and ascertain what amount of printing he could have done for the house, would respectfully report that they have complied with such request, and were assured that he would promptly have printed such bills, resolutions, rules, etc., as the house might order, so long as the funds at his disposal for this purpose would permit.

Respectfully submitted,
FISK, Chairman.

The house resolved itself into a committee of the whole for the consideration of the governor's message.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis asked for time in which to make a report of the committee of the whole.

On motion of Mr. Baldwin the house adjourned until 10 a. m. to-morrow.

HARRY H. DAVIS.
Chief Clerk.

FIFTH DAY.

HOUSE OF REPRESENTATIVES.
Helena, M. T., January 16, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

On motion of Mr. Forbis the house took a recess for 30 minutes.

House resumed.

Mr. Speaker in the chair.

Journal of the fourth day read and approved.

The following reports were received:

Mr. Speaker:

The judiciary committee to whom H. B. No. 3 was referred by your honorable body beg leave to report said bill back with the recommendation that the same be printed.

W. O. SPEER.
Chairman.

On motion of Forbis the report was adopted.

Mr. Speaker:

Your committee on ways and means to whom were referred house joint resolution number 3, to provide for the expenses of the Montana exhibit at the World's industrial and cotton centennial exposition in progress at New Orleans, respectfully report they have had the same under consideration, and report it back to the house with accompanying statement and papers with the recommendation that the joint resolution do pass.

B. F. Potts.
Conrad Kohrs.
George M. Hatch.
Geo. R. Tingle.

The report and resolution were placed on general orders.

Mr. Speaker:

The committee of the whole, to which was referred the governor's message, beg leave to report that they have considered the

same, and recommend that the different portions thereof be referred as follows : viz.,

Subdivision 1, referring to the penitentiary to the ways and means committee.

Subdivision 2, referring to county attorneys to the judiciary committee.

Subdivision 3, referring to fees of county officers to the ways and means committee.

Subdivision 4, referring to notaries public to the judiciary committee.

Subdivision 5, referring to an election law to the committee on elections.

Subdivision 6, referring to statistical information to the committee on territorial affairs.

Subdivision 7, referring to the law library to the judiciary committee.

Subdivision 8, referring to the New Orleans exposition to the ways and means committee.

Subdivision 9, referring to territorial finances to the ways and means committee.

Subdivision 10, all of that portion thereof down to and including the word "people" in such subdivision to the committee on federal relations.

All of the subsequent portion of subdivision 10 to the committee on public lands.

FORBIS, Chairman.

On motion of Speer the report was adopted.

Mr. Speaker :

Your committee on ways and means to whom was referred H. J. R. No. 2, a joint resolution "For the relief of William A. Clark," have had the same under consideration, and would respectfully report it back to the house recommending it do pass.

B. F. POTTS, Chairman.

On motion of Forbis the report and H. J. R. No. 2 were referred to the committee on engrossment.

Mr. Potts submitted the following report :

The committee on ways and means to whom was referred H. J. R. No. 1 for the appointment of clerks, having had the same under consideration, report the following as a substitute and recommend its adoption.

B. F. POTTS,
Chairman.

On motion of Mr. Forbis the report of the committee recommending the substitute was adopted.

On motion of Mr. Potts the rules were suspended, the bill considered, engrossed, and passed to its third reading.

Mr. Speaker:

Your committee on rules for the government of the house beg leave to report the following rules and recommend their adoption.

BALDWIN.

SELIGMAN.

SLOAN.

Mr. Tingle moved that the reading of the report of the committee be at this time omitted and referred to the committee of the whole.

Mr. Seligman moved to amend by making it a special order for 2:15 p. m. Motion carried.

Original motion, as amended, was carried.

Mr. Speaker:

Your select committee appointed to ascertain the number of miles necessarily traveled by members of the house of representatives of the fourteenth legislative assembly in reaching the seat of government of Montana, and returning to their homes, have discharged the duty assigned them and beg leave to report as follows:

Baldwin, J. T.	208 miles.	Nichols, G. R.	196 miles.
Biddle, S. F. B.	770 "	Norton, W. H.	400 "
Callaway, J. E.	336 "	Page, J. M.	374 "
Eastman, Clyde	452 "	Perkins, F. L.	214 "
Emigh, M. L.	354 "	Potts, B. F.	2 "
Fisk, Van H.	62 "	Robinson, J. M.	196 "
Forbis, J. F.	208 "	Seligman, A. J.	2 "
Hatch, G. M.	398 "	Sloan, H. M.	246 "
Holt, J. M.	770 "	Speer, W. O.	208 "
Jurgens, J. H.	40 "	Taylor, J. F.	230 "
Kohrs, Conrad	126 "	Tingle, G. R.	928 "
Moore, P. J.	334 "	Wells, Jay	354 "

Respectfully submitted,

J. M. Page.

J. H. Jurgens.

J. F. Taylor.

On motion of Mr. Biddle the report was adopted and the committee discharged.

The following notices were received:

Mr. Speaker :

I give notice that I will to-morrow or some subsequent day of the session introduce a bill to amend sections 585 and 586, article 2, chapter 22, revised statutes. POTT.

Mr. Speaker :

I hereby give notice that I will upon to-morrow or some future day introduce a bill to provide for the publication of an itemized statement of licenses collected quarterly by county treasurers.

W. O. SPEER.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill to create the county of Bitter Root, and for the election of officers thereof. EMIGH.

Mr. Seligman introduced H. B. No. 6, "A bill for an act concerning the qualifications of electors."

H. B. No. 6 was read first and second times and referred to committee on elections.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Speer in the chair.

House resumed. Mr. Speaker in the chair.

The following communication received:

Mr. Speaker :

The committee of the whole to whom house joint resolution No. 3 was referred, beg to report progress, and ask leave to sit again.

W. O. SPEER, Chairman.

On motion of Mr. Sloan the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following communication was received:

COUNCIL CHAMBER,
Helena Montana, January 15, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that notices of the introduction of bills were given as follows :

By Fergus—"A bill to provide a commission to divide the territory into proper sized counties, having due regard to population, natural boundaries, present county lines, etc."

By Kennedy—"An act regulating public printing;" also,

A joint memorial to congress "relating to Northern Pacific railroad land deeds and contracts;" also,

"An act amending the probate practice act;" also,

"An act changing the name of James William Hackleman to William Cave;" also,

"An act regulating inheritances;" also,

"An act regulating assignments;" also,

"An act amending section 529 of the fifth division of the revised statutes of Montana."

By Barrett—"A bill to divide the counties into three districts each for the purpose of electing county commissioners."

That H. J. M. No. 1 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

H. J. M. No. 1 was ordered enrolled.

The hour having arrived for which the report of the committee on rules was made a special order, the house resolved itself into a committee of the whole for the consideration thereof.

Mr. Potts in the chair.

House resumed. Mr. Speaker in the chair.

Mr. Potts asked for time in which to make a report of the committee of the whole.

On motion of Mr. Robinson the house adjourned.

HARRY H. DAVIS, Chief Clerk.

SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 17, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of fifth day read and approved.

The following communication was received.

COUNCIL CHAMBER,
Helena, Montana, January 16, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Buck—"A bill entitled an act to amend chapter IV of the code of civil procedure."

By Chessman—"A bill for an act entitled an act to amend section 2 of an act to protect game, fur-bearing animals and fish, approved March 8, 1883."

Kennedy introduced C. J. M. No. 1, relating to N. P. R. R. land deeds and contracts.

Bills were introduced as follows:

By Fergus—C. B. No. 1, "a bill for an act concerning the division of the territory into counties."

By Kennedy—C. B. No. 2, "amending the probate practice act;" also,

C. B. No. 3, "Regulating the public printing;" also,

C. B. No. 4, "changing the name of James William Hackleman to William Cave;" also,

C. B. No. 5, "an act regulating assignments;" also,

C. B. No. 6, "an act amending section 529 of the fifth division of the revised statutes of Montana;" also,

C. B. No. 7, "an act regulating inheritances."

DAVID MARKS, Chief Clerk.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 4, "A bill for an act to repeal an act to provide for the payment of stock killed or injured by railroads, approved February 23, 1881, and to repeal an act to amend an act to provide for the payment of stock killed or injured by railroads, approved March 2, 1883," beg leave to report that they have examined the same and find it correctly engrossed.

GEO. R. NICHOLS.

Mr. Speaker:

Your committee on engrossment to whom was referred H. J. R. No. 2, "for the relief of Wm. A. Clark," beg leave to report that they have examined the same and find it correctly engrossed.

GEO. R. NICHOLS, Chairman.

The following notices were received:

Mr. Speaker:

I will on to-morrow or some future day introduce a bill for an act in relation to the funding of the indebtedness of Custer county.

HOLT

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day introduce a house joint resolution for the relief of Fisk Bros., Helena.

A. J. SELIGMAN.

Notices of the introduction of bills were given as follows:

By Norton—H. B. No. 7, "a bill for an act to set off a portion of the county of Gallatin, and to attach the same to the county of Yellowstone, and to change boundary lines accordingly."

By Biddle—H. B. No. 8, "a bill for an act to define the duties of county commissioners."

H. B's Nos. 7 and 8 was read first and second times, and referred to the committee on printing.

H. J. R. No. 1 was read a third time, and passed by the following vote:

Ayes.—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—24.

Noes.—None. Title agreed to.

H. B. No. 4 was read a third time.

On motion of Mr. Potts, H. B. No. 4 was recommitted and referred to the committee on judiciary, and that they report a substitute if they think it practicable.

H. J. R. No. 2 was read a third time, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—24.

Noes—None. Title agreed to.

On motion of Mr. Forbis the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following report was received :

Mr. Speaker :

Your committee on printing to whom was referred H. B. No. 7, herewith report the same back without printing. The honorable secretary of the territory informs us that his instructions will not warrant him to have printed any bills but those of a general nature.

Respectfully submitted,

FISK, Chairman.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Speer in the chair.

House resumed. Mr. Speaker in the chair.

The following reports were received :

Mr. Speaker :

Your committee to whom house joint resolution No. 3 was referred, beg leave to report that they have had said joint resolution under consideration, and that they report the same back to the house with recommendation that the same do pass.

W. O. SPEER,

Chairman Committee of the Whole.

Mr. Potts, chairman of the committee of the whole, submitted the following report:

The committee of the whole to whom was referred the report of the committee on rules having had the same under consideration report that the committee adopted the following amendments to said report, to-wit:

Strike out rule No. 3.

In rule 8, after the word "all," in line 3, insert the word "other."

In rule 12 strike out the following words: 2, call of the house; 6, to commit to the committee of the whole.

Strike out all of rule 21, of committee after the word "member."

Strike out committee rule No. 23, and insert in lieu thereof rule 21 of the present rules.

Add to rule 51 the words "To members of the late constitutional convention and ex-secretaries of the territory."

Strike out all of the report of committee after rule 23 and insert in lieu thereof the present rules of the house from rule 22 to rule 55.

On motion of Mr. Forbis H. B. No. 7 was referred to the committee on towns and counties.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. J. M. No. 1, and find the same correctly enrolled, and herewith present same to the speaker of the house for his signature.

TINGLE.

On motion of Mr. Fisk the report of Mr. Potts, the chairman of the committee of the whole, was received and the rules as amended were adopted and referred to the committee on printing.

On motion of Mr. Seligman the report of Mr. Speer, the chairman of the committee of the whole, was received, the rules suspended, and H. J. R. No. 3 was considered engrossed and passed to a third reading.

H. J. R. No. 3 was read a third time and passed by the following vote:

Ayes—Baldwin, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—Biddle, Eastman, Forbis, Robinson.—4.

Title agreed to.

By unanimous consent Mr. Potts introduced H. J. R. No. 4, "In relation to cattle diseases and national cattle trail."

H. J. R. No. 4 was read first and second times and referred to committee on grazing and stock growing.

On motion of Mr. Emigh the house adjourned until 10 a. m. Monday.

HARRY H. DAVIS, Chief Clerk.

EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 19, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the sixth day read, corrected and approved.

The following communications were received:

COUNCIL CHAMBER,
Helena, Montana, January 17, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By DeWolfe—"A bill to amend section 575 of the fifth division of the revised statutes."

By Buck—"A bill for an act to provide for the taking of the deposition of a witness in a criminal case on behalf of the territory, when he is required to give bail for his appearance with sureties, and is unable to do so. Amending section 24 of the third division of the criminal practice act."

By Kennedy—"A bill to amend section 188, chapter 4 of the first division of the revised statutes of the territory of Montana."

Buck introduced C. B. No. 8 "Regulating the attachment of real estate" "An act to amend chapter IV of the code of civil procedure."

Greene introduced C. J. R. No. 1 "To provide for the printing of bills, payment for which is not provided for by the government of the United States."

DAVID MARKS, Chief Clerk.

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 19, 1885.

To the Legislative Assembly:

I have the honor herewith to transmit to the legislative assembly the report (not in duplicate) of the territorial ordnance officer and arsenal keeper for the year 1884.

Also, the report (not in duplicate) of the inspector of the territorial penitentiary for the year 1884.

Also, letters and documents (not in duplicate) in reference to the American Exhibition at London, Eng., in 1886.

Also, a communication (not in duplicate) concerning a state and national silver convention to be held at Denver, Col., the 28th day of January, 1885.

Respectfully,

B. P. CARPENTER.

On motion of Mr. Forbis the documents transmitted by the governor were placed upon the table for the inspection of the members.

The following report was received:

Mr. Speaker:

Your committee on printing respectfully report H. B's Nos. 3 and 8 correctly printed.

FISK, Chairman.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I will on to-morrow or some subsequent day present a bill for an act to amend sections 1002, 1012, 1015, 1019, 1020, 1022, 1025, 1031, 1032, 1035, 1037, and 1039, of chapter 53, article 1, of fifth division of general laws of revised statutes, relating to levying and collection of taxes, and taxable property generally.

TINGLE.

Mr. Speaker:

I hereby give notice that I will on to-morrow or some subsequent day introduce a bill for an act to amend section 1 of "An act concerning fences," approved February 23, 1881, and add a section thereto to be known as section 11.

PAGE.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill for the creation of the county of Pen d'Oreille and the election of officers thereof.

EASTMAN.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill to amend article 3, and section 20 of article 7, of an act to incorporate the city of Helena.

POTTS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a house joint resolution appropriating \$128.50 to compensate Charles H. Snell for reading and correcting proof of constitution of Montana and address to voters, and putting in wrappers, addressing and mailing 10,000 copies of same to voters.

POTTS.

Mr. Seligman introduced H. J. R. No. 5 "For the relief of Fisk Bros., Helena."

H. J. R. No. 5 was read first and second times, and referred to committee on elections.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, January 19, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body that substitute for H. J. R. No. 1 "For the appointment of committee clerks" has passed the council as amended, and is herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Mr. Forbis the council amendment to the substitute for H. J. R. No. 1 was concurred in.

H. B's Nos. 3 and 8 were referred to committee on judiciary.

On motion of Mr. Forbis the house adjourned until 10 a. m. to-morrow.

HARRY H. DAVIS, Chief Clerk.

NINTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 20, 1885.

House met pursuant to adjournment at 10 o'clock, a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the eighth day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, January 19, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that H. J. R. 2 and H. J. R. 3, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

Mr. Speaker announced that he had signed H. J. M. No. 1.

Mr. Tingle presented a petition from a number of residents of Dawson county relative to retail liquor licenses. Referred to committee on agriculture.

The following reports were received:

Mr. Speaker:

Mr. Kohrs submitted the following report: The committee on grazing and stock growing to whom was referred H. J. R. No. 4, in relation to cattle diseases and national cattle trail, having had the same under consideration recommend that the resolution be amended by inserting in line 23, after the word "resolved," the words "by the legislative assembly of the territory of Montana;" and in lines 34 and 35 amend by striking out the words "regardless of any technical ideas concerning state lines." And when the resolution is so amended that the same be adopted.

CONRAD KOHRS, Chairman.

On motion of Mr. Speer the report was adopted.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. J. R. No. 1 and find the same correctly enrolled, which is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker :

We, your committee on joint rules of the council and house, beg leave to report that we have had the same under consideration, and recommend the adoption of the annexed joint rules of the thirteenth session of the legislative assembly of the territory of Montana, without change, except that joint rule No. 14 be amended by inserting the word "three" in lieu of the word "two," wherever said word "two" occurs in line two of said joint rule No. 14

All of which is respectfully submitted.

BALDWIN.
SELIGMAN.

On motion of Mr. Potts the report was adopted. Ordered printed.

Mr. Speaker announced that he had signed H. J. R. No. 1.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill to amend section 280 of chapter 15, article 1 of the fifth division of the revised statutes of the territory of Montana.

POTTS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill relating to the study of physiology and hygiene in the public schools.

POTTS.

HELENA, MONT., Jan. 20, 1885.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill for the better protection of female employes in the territory of Montana.

J. H. JURGENS.

Mr. Speaker :

I will to-morrow or some subsequent day introduce a bill concerning water rights.

ROBINSON.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill entitled "An act concerning the representation of quartz lodes."

EASTMAN.

Mr. Speaker:

I hereby give notice that I will upon to-morrow or some subsequent day of the session introduce a bill for an act to amend an act relative to bounty for killing certain animals.

HATCH.

The following bill was introduced :

By Tingle—H. B. No. 9 "A bill for an act concerning the levying and collection of taxes."

H. B. No. 9 was, under a suspension of the rules, read a first and second time by title, and ordered printed.

On motion of Mr. Seligman the documents received from Governor Carpenter were taken up and read.

The report of Dr. C. K. Cole on the penitentiary at Deer Lodge was referred to the committee on education and labor.

The report of the arsenal keeper was referred to committee on military affairs.

The invitation to state and national silver convention was referred to the committee on mines and minerals.

The letter in reference to American exhibition in London, 1886, was referred to the committee on territorial affairs.

On motion of Mr. Taylor the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TENTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., January 21, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the ninth day read and approved.

The following communications were received :

COUNCIL CHAMBER,

Helena, Montana, January 19, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that bills were introduced as follows :

By DeWolfe—C. B. No. 9, "An act to amend section 575 of the fifth division of the revised statutes."

By Barrett—C. B. No. 10, "A bill for an act to divide the several counties into districts for the election of county commissioners."

By Kennedy—C. B. No. 11, "Amending section 188, first division, revised statutes of Montana."

By Buck—C. B. 12, "Regulating the taking of the deposition of a witness in a criminal case in behalf of the territory."

By Chessman—C. B. No. 13, "An act to amend an act to protect fur-bearing animals, game and fish, approved March 8, 1883."

Notices of the introduction of bills were given as follows :

By Greene—A bill providing for the Billings, Montana, fire department.

By Chessman—A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881.

DAVID MARKS.
Chief Clerk.

COUNCIL CHAMBER,
Helena Montana, January 20, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that council bills 2 and 7 were read a third time and lost.

Council bill No. 10 was read a third time and passed, and is herewith transmitted.

By direction of the council I transmit to you the original copies of reports presented to the council by the governor.

Buck gave notice that he would introduce "a bill to provide for an act to provide for the payment of one-fourth of all license taxes collected within the limits of any incorporated city in any county to the use of such city.

DAVID MARKS, Chief Clerk.

The following reports were received :

Mr. Speaker :

Your committee on agriculture and manufactures to whom was referred the petition of certain Dawson county residents praying to have the license for selling whiskey on isolated ranches reduced to five dollars per quarter, respectfully report the same back without

their approval; and in the opinion of the committee such a license tax should be imposed upon and bonds required of the liquor dealer as would insure an orderly resort, and first class articles dispensed.

FISK, Chairman.

Report adopted.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H. J. R. No. 1, and H. J. M. No. 1, were presented by said committee to the governor for his approval, on the 20th day of January, 1885, at 11 a. m.

TINGLE.

Chairman House Committee.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. J. R. No. 2 and H. J. R. No. 3, and find the same correctly enrolled, which are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker gave notice that he was now about to sign H. J. R's Nos. 2 and 3.

Mr. Speaker:

Your committee on elections to which was referred H. J. R. No. 5, for the relief of Fisk Bros., Helena, have had the same under consideration and recommends that the same be amended by striking out all after the resolving clause and inserting in lieu thereof the following, to-wit: That there be and there is hereby appropriated out of any money in the territorial treasury not otherwise appropriated the sum of ninety-eight and seventy-five-one hundredth dollars to pay for printing tickets for voting on the state constitution, and for furnishing wrappers for mailing the constitution to voters by Fisk Bros., Helena, and that the territorial auditor be and he is hereby authorized and required to draw his warrant on the territorial treasurer for such sum, payable to Fisk Bros. And as so amended your committee recommends that said resolution do pass.

FORBIS.

The report was adopted, the resolution ordered engrossed, and passed to a third reading.

H. J. R. No. 4 was ordered engrossed and passed to a third reading.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a bill entitled An act authorizing the governor to contract for the maintenance and safe keeping of territorial prisoners.

WELLS.

Mr. Speaker :

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a bill entitled An act to provide for the additional penalty of *hard labor* of convicts in the territorial prison.

WELLS.

Mr. Speaker :

I will on to-morrow or some future day introduce a bill to suppress and prevent the dissemination of contagious diseases among domestic animals.

CONRAD KOHRS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill to establish the county of Dearborn.

J. F. TAYLOR.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill entitled An act to amend an act to amend section 48 of chapter 18 of general and miscellaneous laws of Montana, approved July 22, 1879.

EMIGH.

C. B. No. 10 was read first and second times, and referred to the committee on territorial affairs.

Bills were introduced as follows :

By Potts—H. B. No. 10, "A bill for an act to amend section 280 of the fifth division of the revised statutes of the territory of Montana." Also H. B. No. 11, "A bill for an act to amend section 20 of article 7 of an act to incorporate the city of Helena."

By Forbis—H. B. No. 12, "A bill for an act creating the office of county attorney."

By Jurgens—H. B. No. 13, "A bill for an act for the better protection of female employes in the territory of Montana."

H. B. No. 10 was read first and second times and referred to committee on incorporations.

H. B. No. 11 was read first and second times and committed to the members from Lewis and Clarke, and the joint member from Lewis and Clarke and Jefferson.

H. B. No. 12 was read first and second times and ordered printed.

H. B. No. 13 was read first and second times and referred to the committee on judiciary.

Mr. Forbis asked for permission of leave of absence for Mr. Perkins until Monday morning next. Granted.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, January 21, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Kennedy—"A bill for an act to provide for the posting of estrays in this territory."

By Fergus—"A bill for the formation of a new county,"

Chessman introduced C. B. No. 14, "An act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881."

C. B. No. 11 has passed the council and is herewith transmitted.
DAVID MARKS, Chief Clerk.

By unanimous consent the house recurred to the order of reading council bills.

C. B. No. 11, "Amending section 188, chapter 4, first division, revised statutes of Montana," was read first and second times and referred to committee on judiciary.

On motion of Mr. Hatch the house took a recess until 3 p. m.

Three p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following reports were received:

Mr. Speaker :

Your committee on engrossment to whom was referred H. J. R. No. 4, "In relation to cattle diseases and national cattle trail," report that they have examined the same and find it correctly engrossed.

GEO. R. NICHOLS, Chairman.

Mr. Speaker :

Your committee on engrossment to whom was referred H. J. R. No. 5, "For the relief of Fisk Bros., Helena," report that they have examined the same and find it correctly engrossed.

GEO. R. NICHOLS, Chairman.

H. J. R. No. 4 was read a third time and passed by the following vote :

Ayes.—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—24.

Noes.—None. Title agreed to.

H. J. R. No. 5 was read a third time, and passed by the following vote :

Ayes.—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—24.

Noes.—None. Title agreed to.

By unanimous consent of the house the following reports were received :

Mr. Speaker :

The judiciary committee to whom H. B. No. 3, A bill for an act to punish and suppress prize fighting, beg leave to report said bill back with a substitute therefor and recommend that the substitute do pass.

W. O. SPEER, Chairman.

On motion of Mr. Potts the report was laid upon the table to give time for the minority to report.

Mr. Speaker :

The judiciary committee to whom council bill No. 11, amending section 188, chapter 4, first division, revised statutes of Montana, beg

leave to report that they have considered said bill and recommend that the same do pass.

W. O. SPEER, Chairman.

C. B. No. 11 was referred to general orders.

On motion of Mr. Robinson the house adjourned until 10 a. m. to-morrow.

HARRY H. DAVIS, Chief Clerk.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 22, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave, Perkins.

Prayer by the chaplain.

Journal of the tenth day read and approved.

Indefinite leave was granted Mr. Speer on account of the serious illness of his brother.

The following reports were received:

Mr. Speaker:

Your committee on territorial affairs to whom was referred council bill No. 10, An act to divide the several counties into districts for the election of county commissioners, respectfully report that they have had the same under consideration and report it back to the house recommending that it do pass.

GEORGE M. HATCH, Chairman.

Report received and C. B. No. 10 was placed on general orders.

Mr. Speaker:

Your committee on incorporations to which was referred H. B. No. 10 have had the same under consideration and herewith reports the same back to the house without recommendation.

F. L. PERKINS.

Report received and H. B. No. 10 was placed on general orders.

Mr. Speaker:

Your committee on mines and minerals to whom was referred communication regarding national silver convention to be held at Denver, Col., January 28, 1885, beg leave to report and say that we

have taken the subject under careful consideration and would recommend that his excellency, the governor, appoint S. T. Hauser, Esq., the delegate from the Helena board of trade as delegate from this territory to the aforesaid state and national silver convention to be held at Denver.

A. J. SELIGMAN.
Chairman.

The report was received and adopted.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I will on to-morrow or some future day ask leave to introduce a bill for an act to suppress gambling.

FORBIS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill for an act to punish certain offenses therein named.

POTTS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill for an act limiting the compensation of certain officers named therein.

POTTS.

Mr. Speaker :

I hereby give notice that I will to-morrow or at some future day introduce a bill for an act to organize and regulate the militia.

SELIGMAN.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill for an act to prevent double taxation.

J. H. JURGENS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day introduce a bill for an act regulating the fees of witnesses and jurors at coroners' inquests.

FISK.

The following communication was received.

COUNCIL CHAMBER,
Helena, Montana, January 21, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that—

Greene introduced C. B. No. 15, "An act to provide for the Billings fire department."

C. J. R. No. 1 was read a third time and lost.

C. B. No. 4 has passed the council and is herewith transmitted.
DAVID MARKS, Chief Clerk.

C. B. No. 4 was read first and second times, the rules were suspended, the bill considered engrossed and passed to a third reading.

Bills were introduced as follows :

By Mr. Potts—H. B. No. 14, "A bill for an act relating to the study of physiology and hygiene in the public schools." Read first and second times and referred to committee on education and labor.

By Robinson—H. B. No. 15, "A bill for an act relative to water rights." Read first and second times and referred to committee on judiciary.

By Eastman—H. B. No. 16, "A bill for an act concerning the representation of quartz lodes." Read first and second times and referred to committee on mines and minerals.

By Wells—H. B. No. 17, "A bill for an act to provide for the additional penalty of hard labor of convicts in the territorial prison." Read first and second times and referred to committee on judiciary.

By Seligman—H. B. No. 18, "A bill for an act encouraging competition in trade." Read first and second times and referred to committee on ways and means.

By Potts—H. J. R. No. 6, "To compensate Chas. H. Snell for certain services rendered." Read first and second times and referred to committee on ways and means.

C. B. No. 4 was read a third time, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—Kohrs.—1.

Absent—Perkins, Speer.—2.

Title agreed to.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Wells in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Wells, chairman of the committee of the whole, asked for time in which to make his report.

Report of the law librarian of Montana referred to the committee on judiciary.

On motion of Mr. Potts the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 23, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Perkins and Speer.

Prayer by the chaplain.

Journal of the eleventh day read and approved.

The following communications were received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 23, 1885.

To the House of Representatives :

I have the honor to inform the house of representatives that on the 22nd day of January, 1885, I approved H. J. R. No. 1, "For the appointment of committee clerks ;" and,

That I have this day approved H. J. R. No. 2, "For the relief of William A. Clark ;" also,

H. J. R. No. 3, "To provide for the expenses of the Montana exhibit at the World's Industrial and Cotton Centennial Exposition now in progress in New Orleans."

Respectfully,
B. P. CARPENTER, Governor.

COUNCIL CHAMBER,
Helena, Montana, January 22, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Cotant—"A bill for an act to provide for assignments for the benefit of creditors;" also,

"An act creating the office of county attorney and fixing the salary thereof."

By Greene—"A bill entitled an act to amend section 77, chapter 6, of the code of civil procedure;" also,

"A bill entitled an act in relation to the taxation of telegraph lines."

Buck introduced C. B. No. 16, "An act to provide for the payment of one-fourth of all license tax collected within the limits of any incorporated city in any county to the use of such city."

H. J. R. No. 4, and C. B. No. 14, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

Mr. Forbis presented a petition from certain photographers of Butte. Read and referred to committee on ways and means.

The following reports were received:

Mr. Speaker:

We, your committee on ways and means, to whom was referred H. B. No. 5, "An act to amend an act to increase the compensation and mileage of county commissioners, approved January 31, 1883," beg leave to report that we have duly considered the same and recommend that it do not pass.

CONRAD KOHRS.
GEO. M. HATCH,
JOHN T. BALDWIN.

Report received and laid upon the table in order to allow the minority time to report.

Mr. Speaker:

Your committee on territorial affairs to whom was referred certain pamphlets and letters relative to the American exhibition in London in 1886, would respectfully report that after having made a careful examination of the same find themselves in full accord with the sentiments and views therein expressed, and believe that the

territory of Montana would be much benefited by an exhibit in London in 1886, but feel that should an exhibit be made it should be done by private expense and by those of our citizens most directly benefited, and therefore recommend that the governor be authorized to appoint one or more commissioners to represent the territory.

HATCH, Chairman Territorial Affairs.

Report received and adopted.

Mr. Speaker:

The committee on military affairs, to whom was referred the report of the territorial ordnance officer and arsenal keeper, having had the same under consideration, report the same back and ask to be discharged from the further consideration of the subject.

Potts.

Page.

Robinson.

Perry J. Moore.

Report received and adopted.

Mr. Speaker:

Your committee of the whole to whom was referred council bill No. 10 respectfully submit the same to the house with the recommendation that the bill do not pass.

WELLS, Chairman.

Report received and adopted, and recommitted to committee on territorial affairs.

Mr. Speaker:

Your committee of the whole to whom was referred council bill No. 11 ask leave to report the same to the house with the recommendation that the bill do pass.

WELLS, Chairman.

Report adopted and C. B. No. 11 was passed to a third reading.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I hereby give notice that I will on to-morrow on some future day ask leave to introduce a bill for an act regulating assessment life insurance companies.

FORBIS.

Mr. Speaker:

I give notice that on to-morrow or some subsequent day I will introduce a bill for an act to amend an act entitled an act concerning the fees of jurors in civil cases, approved February 21, 1881.

Also a bill for an act to amend section 387 of the fifth division of the revised statutes, relating to the duties of county clerks.

FISK.

C. B. No. 14 was read first and second times and referred to the members from Lewis and Clarke, and the joint member from Jefferson and Lewis and Clarke.

Bills were introduced as follows :

By Page—H. B. No. 19, "A bill for an act to amend an act entitled an act concerning fences, approved February 23, 1881."

Read first and second times and ordered printed.

By Seligman—H. B. No. 20, "An act to organize and regulate the militia."

Read first and second times and ordered printed.

By Jurgens—H. B. No. 21, "A bill for an act to prevent double taxation."

Read first and second times and ordered printed.

By Emigh—H. B. No. 22, "An act to amend an act to amend section 48, chapter 18, of general and miscellaneous laws of Montana."

Read first and second times and referred to committee on towns and counties.

By Forbis—H. B. No. 23, "A bill for an act to suppress gambling."

Read first and second times and ordered printed.

By Fisk—H. B. No. 24, "A bill for an act to regulate the fees of witnesses and jurors at coroners' inquests."

Read first and second times and referred to committee on judiciary.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, January 23, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that Chessman gave notice of "A bill for an act to amend article 1 of chapter 8 of the fifth division of the revised statutes, fixing the bonds of district clerks."

Greene introduced bills as follows :

C. B. No. 17, "An act in relation to taxation of telegraph lines."
Also,

C. B. No. 18, "An act to amend section 77 of chapter 6 of the code of criminal procedure."

C. B's Nos. 8 and 9 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

C. B. No. 8 was read first and second times and referred to the committee on judiciary.

C. B. No. 9 was read first and second times and referred to the committee on judiciary.

C. B. No. 11 was read a third time and lost by the following vote :

Ayes—Baldwin, Eastman, Hatch, Holt, Nichols, Norton, Page, Potts, Seligman, Wells.—10.

Noes—Biddle, Emigh, Fisk, Forbis, Jurgens, Kohrs, Moore, Robinson, Sloan, Taylor, Tingle, Mr. Speaker.—12.

Absent—Perkins, Speer.—2.

H. J. R. No. 4 was ordered enrolled.

Leave of absence was granted Mr. Kohrs until Tuesday morning next.

On motion of Mr. Wells the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 24, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Perkins, Speer and Kohrs.

Prayer by the chaplain.

Journal of twelfth day read and approved.

Leave of absence granted Fisk for today.

Mr. Potts presented the petition of J. B. Sanford and sixty-six other citizens of Lewis and Clarke county praying for the passage of H. B. No. 14, requiring instruction in physiology and hygiene in public schools.

Mr. Norton presented a like petition from a number of residents of Billings.

Both read and referred to committee on education and labor.

The following reports were received :

Mr. Speaker :

Your committee on towns and counties to whom was referred H. B. No. 22, entitled "An act to amend section 48, chapter 18, of general and miscellaneous laws of Montana, concerning toll roads, bridges, and ferries," beg leave to report that they have considered the same and directed me to report the same back to the house with the accompanying amendments, and recommend that the bill so amended do pass.

NORTON, Chairman.

Placed on general orders.

Mr. Speaker :

Your committee on mines and minerals having had under consideration H. B. No. 16, "A bill for an act concerning the representation of quartz lodes," report the same back to the house with the recommendation that it do pass.

A. J. SELIGMAN, Chairman.

Placed on general orders.

Mr. Speaker :

Your committee on printing report H. B. No. 9, "A bill for an act concerning the levying and collection of taxes," H. B. No. 12, "A bill for an act creating the office of county attorney," and the house rules and joint rules of the council and house, correctly printed.

Respectfully submitted.

FISK, Chairman.

H. B. No. 9 was referred to committee on ways and means.

H. B. No. 12 was referred to the committee on judiciary.

Mr. Potts, submitted the following report :

The special committee to whom was referred C. B. No. 14, entitled "An act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881," having had the same

under consideration report the bill back and recommend its passage.

POTTS,
SELIGMAN,
JURGENS.

The report was received, the rules suspended, the bill considered engrossed, and passed to a third reading.

The following notice was received:

Mr. Speaker :

I give notice that on to-morrow or some subsequent day I will introduce a bill for an act to protect county treasurers.

NORTON.

Mr. Forbis offered the following resolution:

Be it resolved by the House of Representatives, the Council concurring:

First. That the standing committees of ways and means of the council and house of representatives are hereby constituted a joint committee of ways and means for this legislative assembly.

Second. That in order to facilitate the business and legislation of this legislative assembly said joint committee be increased by the addition of three members of the house and two members of the council, to be appointed by the presiding officer of each house respectively.

Third. That said joint committee at its first meeting shall elect one of their number chairman, who shall, without delay, introduce into the house of which he is a member any bill or resolution that may be agreed upon and recommended by a majority of such joint committee.

Fourth. It shall be the duty of such joint committee to thoroughly revise all laws of this territory relating to revenue and taxation; to amend the same or recommend other laws in lieu thereof; also, to readjust and equalize, as nearly as may be, upon a fair and equitable basis, the fees and salaries of all county officers of this territory; and that said joint committee report their action in the premises by bill or otherwise at the earliest practicable day.

Received and adopted.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, January 24, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that

H. J. R. No. 5 and C. B. No. 15 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

C. B. No. 15 was read first and second times and referred to the committee on towns and counties.

Mr. Potts introduced H. B. No. 25, "A bill for an act limiting the compensation of certain officers therein named."

Read first and second times and ordered printed.

H. J. R. No. 5 was ordered enrolled.

C. B. No. 14 was read a third time and passed by the following vote :

Ayes.—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—20

Noes—None.

Absent—Fisk, Kohrs, Perkins, Speer.—4

Title agreed to.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, January 24, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body that bills have been introduced as follows :

By Chessman—C. B. No. 19, "An act relative to bonds of clerks of courts."

By Cotant—C. B. No. 20, "An act creating the office of county attorney and fixing the salary thereof." Also, C. B. No. 21. "An act providing for assignments for the benefit of creditors."

DAVID MARKS, Chief Clerk.

On motion of Mr. Biddle H. B's Nos. 16 and 22 were taken from general orders and ordered printed.

The following resolution was offered :

Resolved, that the following be added to the rules of the house, to-wit :

Rule No. 56. All bills, joint resolutions and memorials which shall be referred to a standing committee, except the committee on

engrossment, enrollment or printing, and thereafter reported back by such committee, unless otherwise ordered, shall be placed on the general orders for consideration in committee of the whole.

FORBIS.

Received and adopted.

On motion of Robinson the house adjourned until 10 a. m. Monday.

HARRY H. DAVIS, Chief Clerk

FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., January 26, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Perkins, Speer, and Kohrs.

Absent—Fisk.

Prayer by the chaplain.

Journal of the thirteenth day read and approved.

Leave of absence granted Mr. Nichols for the day.

. The following reports were received :

Mr. Speaker:

The committee on ways and means to whom was referred H. J. R. No. 6, "To compensate Chas. H. Snell for certain services rendered," having had the same under consideration report it with the recommendation that it be adopted.

JOHN T. BALDWIN,
GEO. R. TINGLE,
B. F. POTTS,
GEO. M. HATCH.

Report adopted, the rules were suspended, H. J. R. No. 6 was considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on towns and counties to whom was referred C. B. No. 15, entitled "An act to provide for the Billings fire department, beg leave to report that they have considered the same and directed me to report the same back to the house with recommendation that it do pass.

NORTON, Chairman.

Report adopted. The rules were suspended. C. B. No. 15 was considered, engrossed and passed to a third reading.

Mr. Seligman introduced H. J. M. No. 2, "In relation to the Montana penitentiary."

Read first and second times and referred to a special committee.

Bills were introduced as follows:

By Forbis—H. B. No. 26, "A bill for an act regulating assessment life insurance companies."

Read first and second times and ordered printed.

By Norton—H. B. No. 27, "A bill for an act to protect county treasurers."

Read first and second times and referred to committee on ways and means.

Mr. Tingle introduced the following:

Resolved, that the committee on ways and means be and are hereby directed to inquire into the condition of the miscellaneous library and make a full report, with such recommendations as they may deem for the best interests of the territory.

Resolved, that the committee on judiciary be and are hereby directed to inquire into the condition of the law library of the territory, and the care of the same, and make a report with such recommendations as they may deem necessary to protect the territory's interests.

The resolutions were adopted.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, January 26, 1885

Mr. Speaker:

I am instructed by the council to inform your honorable body that notices were given as follows:

By Greene—"A bill to amend section 342 of the general laws, fifth division of the revised statutes."

By Buck—"A bill for an act to amend the city charter of Fort Benton."

By Kennedy—"A bill for an act abolishing the office of district

attorney, and providing for the appointment and election of prosecuting attorneys in and for each county."

DAVID MARKS, Chief Clerk.

C. B. No. 15 was read a third time, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Moore, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—None.

Absent—Fisk, Kohrs, Nichols, Perkins, Speer.—5.

Title agreed to.

H. J. R. No. 6 was read a third time and passed by the following vote :

Ayes.—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Moore, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—None.

Absent—Fisk, Kohrs, Nichols, Perkins, Speer.—5

Title agreed to.

Mr. Kohrs' leave of absence was extended until Wednesday morning next.

The following report was received :

Mr. Speaker :

The committee on ways and means to whom was referred the petition of Eardly & Elliott, Thos. H. Rutler and H. J. Dusseau, photographers of Butte, asking the repeal of the law imposing a license tax on photographers, having had the same under consideration report it back to the house with the recommendation that the prayer of the petitioners be granted

B. F. Potts.

Geo. M. Hatch.

John T. Baldwin.

Geo. R. Tingle.

Report adopted.

On motion of Mr. Seligman the house adjourned.

HARRY H. DAVIS, Chief Clerk.

SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 27, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Kohrs, Nichols, Perkins and Speer.

Absent—Seligman.

Prayer by the chaplain.

Journal of the fifteenth day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, January 26, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that—

Buck gave notice of "a bill for an act to amend an act concerning chattle mortgages, approved February 19, 1881."

C. B. No. 18 has passed the council and is herewith transmitted.
DAVID MARKS, Chief Clerk.

The following reports were received:

Mr. Speaker:

Your committee on judiciary to whom was referred C. B. No. 8, have considered the same and recommend that the accompanying amendments be adopted, and that such bill as so amended do pass.

H. B. No. 15 is herewith returned with recommendation that the same be printed.

JOHN T. BALDWIN.
B. F. POTTS.
CLYDE EASTMAN.
FORBIS.

Report adopted.

Mr. Speaker:

Your committee on territorial affairs to whom was referred C. B. No. 10, "A bill for an act to divide the several counties into districts for the election of county commissioners," respectfully report that they have examined the same and would offer the accompanying substitute, and recommend that it do pass.

GEORGE M. HATCH.

Report adopted, and the substitute ordered printed.

Mr. Speaker :

Your committee on printing have examined H. B's Nos. 16, 19, 20, 21, 22 and 23 and find the same correctly printed.

NORTON.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. J. R. No. 4 and H. J. R. No. 5, and find the same correctly enrolled, and present them herewith to the speaker of the house for his signature.

HATCH.

The speaker announced that he was about to sign H. J. R's Nos. 4 and 5.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I hereby give notice that I will on to-morrow or some subsequent day introduce a bill to amend section 1193 of the fifth division, revised statutes of Montana.

ROBINSON.

Mr. Speaker :

I give notice that on to-morrow or some subsequent day I will introduce a bill for an act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses.

FISK.

Mr. Tingle offered the following resolution which was adopted :

Resolved, by the house of representatives, the council concurring, that a joint committee, composed of five members of the house and three from the council, be and are hereby appointed to proceed to the penitentiary and asylum for the insane, and make a thorough examination of the manner of conducting said institutions, together with the capacity and needs of the buildings to comfortably care for the inmates, and report to the legislative assembly the result of their investigations, together with such recommendations as they may deem necessary, by bill or otherwise.

C. B. No. 18 was read first and second times and referred to the committee on judiciary.

H. B. No. 23 was referred to committee on education and labor.

H. B. No. 22 was placed on general orders.

H. B. No. 20 was referred to the committee on military affairs.

H. B. No. 19 was referred to the committee on territorial affairs.

H. B. No. 16 was referred to the committee on mines and minerals.

Leave of absence granted Mr. Forbis for two days.

Mr. Nichols' leave of absence extended so as to include to-day.

The chair announced the following:

Joint committee on ways and means—Messrs. Fisk, Eastman and Holt.

Joint committee to visit, inspect and report as to the penitentiary and insane asylum—Messrs. Page, Tingle, Taylor, Emigh and Speer.

On motion of Mr. Emigh the house adjourned.

HARRY H. DAVIS, Chief Clerk.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, January 28, 1885.

House met pursuant to adjournment at 10 o'clock, a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Forbis, Perkins and Speer.

Prayer by the chaplain.

Journal of the sixteenth day read and approved.

The house excused Mr. Seligman for his absence on yesterday.

The following communication was received.

COUNCIL CHAMBER,
Helena, Montana, January 27, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that bills were introduced as follows:

By Greene—C. B. No. 22, "An act to amend section 342 of the fifth division of the general laws."

By Kennedy—C. B. No. 23, "An act abolishing the office of district attorney, and providing for the appointment and election of prosecuting attorneys in and for each county."

The following C. C. R. was introduced by DeWolfe and adopted by the council:

Resolved, by the legislative council, the house of representatives concurring, that the secretary of the territory be and he is hereby requested to furnish to each branch of the legislature one committee room for the use of the committees of the two houses.

DAVID MARKS.
Chief Clerk.

Leave of absence granted Mr. Page for two days.

The following reports were received:

Mr. Speaker:

The committee on judiciary to whom was referred C. B. No. 18 entitled An act to amend section 77 of chapter 6 of the criminal practice act of the revised statutes of Montana, having had the same under consideration, recommend its passage.

B. F. Potts.
John T. Baldwin.
Clyde Eastman.

The report was adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

The committee on judiciary to whom was referred H. B. No. 17 entitled An act to provide for the additional penalty of hard labor of convicts in the territorial prison, having had the same under consideration, report the bill back with the recommendation that it be indefinitely postponed.

B. F. Potts.
John T. Baldwin.
Clyde Eastman.

Report adopted.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that they have examined C. B. No. 4 and C. B. No. 14, and find the same correctly enrolled, which are herewith presented to the speaker of the house for his signature.

TINGLE.

On motion of Mr. Potts, DeWolfe's C. C. R. requesting the secretary of the territory to furnish to each branch of the legislature one committee room for the use of the committees of the two houses was adopted.

Mr. Speaker announced that he was now about to sign C. B's Nos. 4 and 14.

Bills were introduced as follows :

By Wells—H. B. No. 28, "A bill for an act authorizing the governor to contract for keeping and maintenance of prisoners."

Read first and second times and ordered printed.

By Robinson—H. B. No. 29, "A bill for an act to amend sections 1193 and 1194, fifth division, revised statutes of Montana."

Read first and second times and referred to the committee on territorial affairs.

By Fisk—H. B. No. 30, "A bill for an act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses."

Read first and second times and referred to the committee on judiciary.

Also, H. B. No. 31, "A bill for an act to amend an act concerning the fees of jurors in civil cases."

Read first and second times and referred to the committee on judiciary.

Also, H. B. No. 32, "A bill for an act to amend section 387 of the revised statutes, relating to the duties of county clerks."

Read first and second times and referred to the joint committee on ways and means.

C. B. No. 18 was read a third time, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—19.

Noes—None.

Absent—Forbis, Page, Perkins, Speer, Wells.—5.

Title agreed to.

H. B. No. 21 was referred to the joint committee on ways and means.

On motion of Mr. Potts the motion by which H. B. No. 28 was ordered printed, was reconsidered, and it was referred to the committee on judiciary.

The following report was received :

Mr. Speaker :

Your committee on mines and minerals to whom was referred H. B. No. 16, regarding representation of quartz lodes, beg leave to report same back to the house and ask to be excused from further consideration of the same.

A. J. SELIGMAN.
Chairman.

H. B. No. 16 was placed on general orders.

C. B. No. 8 was ordered engrossed as amended.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed.

Mr. Speaker in the chair.

The following report was received :

Mr. Speaker :

As chairman of the committee of the whole I beg leave to submit the following report :

On consideration of H. B. No. 10, section 1 was read and adopted.

Section 2 was read and discussed. Motion was made and carried that when the committee rise they report bill back to the house and recommend that it be immediately printed.

Consideration of H. B. No. 22.

Section 1 was read and adopted.

Section 2 was read with amendment reported by standing committee and adopted as amended.

Sections 3 and 4 were read and adopted.

Title of bill amended to read as follows : "An act to amend an act entitled an act to amend section 48, chapter 18, of the general and miscellaneous laws of Montana, approved July 22, 1879.

Motion made and carried that bill be referred back to the house with recommendation that as amended it do pass.

Consideration of H. B. No. 16.

Section 1 read and amended by inserting in fourth line after word "affidavit" the words "or affidavits," and in tenth line in lieu of words "affidavit or copy" the words "affidavits or copies."

Section 1 as amended was adopted.

Section 2. Substitute offered by Mr. Callaway and adopted.

Substitute. "That it shall be the duty of the county recorder of the county in which any quartz lode is located to file such affidavit or affidavits and duly record the same in a well bound book to be kept for such purpose, for which he shall receive the sum of one dollar for each affidavit so recorded."

Section 3 was read and adopted.

Vote on section 1 was reconsidered and section amended by inserting in line three after the word "file" the words "for record," and substituting for the word "filed" in tenth line the word "recorded."

Title read and adopted.

Bill as amended referred back to the house with recommendation that as amended it do pass.

A. J. SELIGMAN, Chairman.

Report adopted.

H. B's Nos. 16 and 22 were ordered engrossed.

H. B. No. 10 was ordered printed.

On motion of Mr. Biddle the house adjourned.

HARRY H. DAVIS, Chief Clerk.

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., January 29, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Forbis, Page, Perkins and Speer.

Absent—Eastman.

Prayer by the chaplain.

Journal of the seventeenth day read and approved.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, January 28, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Buck—"A bill for an act to amend chapter IV, and chapter IV of title 10 of the code of civil procedure."

By Chessman—"A bill for the relief of George P. Reeves & Co."

By Kennedy—"A bill for an act to amend an act entitled an act in relation to the fees of county clerks."

By Greene—"A bill for an act entitled an act to establish a series of text books for the public schools, approved February 23, 1881."

Bills were introduced as follows;

By Kennedy—C. B. No. 24, "An act to provide for the posting of estrays in this territory."

By Buck—C. B. No. 25, "An act entitled an act to amend an act concerning chattel mortgages, approved February 19, 1881."

DAVID MARKS, Chief Clerk.

The following petitions were received:

Mr. Speaker:

I herewith present the names of 367 voters and tax payers of that portion of Meagher county lying west of the Big Belt mountains, praying for a new county as specified in their petition.

Respectfully,
FISK.

Mr. Speaker:

I herewith present the names of 253 voters and tax payers of the easterly portion of Jefferson county, praying for a new county as specified in their petition.

Respectfully,
FISK.

Referred to the committee on towns and counties.

Mr. Potts presents the petition of William Wright and 54 other citizens of Livingston, Gallatin county, praying for the enactment of law requiring instruction in physiology and hygiene in the public schools.

Referred to the committee on education and labor.

Mr. Speaker:

I herewith present a petition signed by two hundred citizens and tax payers of the Bitter Root valley, praying for a division of Missoula county.

EMIGH.

Referred to the committee on towns and counties.

Mr. Potts presents the petition of fifty citizens of Helena, remonstrating against the repeal of the commercial traveler's license law.

Referred to the joint committee on ways and means.

The following reports were received:

Mr. Speaker:

The committee on the judiciary to whom was referred H. B. No. 8, "A bill for an act to define the duties of county commissioners," having had the same under consideration report a substitute for said bill, and recommend that it be printed.

B. F. POTTS.

J. T. BALDWIN.

Report received and substitute for H. B. No. 8 ordered printed.

Mr. Speaker:

Your committee on judiciary to whom was referred H. B. No. 24, entitled "An act regulating the fees of witnesses and jurors, in attendance at coroners' inquests," beg leave to report that they have had the same under consideration, and would respectfully recommend that a substitute therefor entitled "An act to amend section 420 of the fifth division of the revised statutes of Montana territory of 1879," hereto attached be passed in lieu of H. B. No. 24.

B. F. POTTS.

CLYDE EASTMAN.

J. T. BALDWIN.

Report adopted, the rules were suspended, the bill considered engrossed, and passed to a third reading.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 19, A bill for an act to amend an act entitled an act concerning fences, would respectfully report that they have examined the same, and report it back with the attached amendment to section 11, and recommend that it do pass as amended.

GEO. M. HATCH, Chairman Com.

Report received and H. B. No. 19 was placed on general orders.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 29, A bill for an act to amend sections 1193 and 1194, fifth division, revised statutes of Montana, would respectfully report that they have examined the same and report it back, recommending that it do pass.

HATCH, Chairman.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on education and labor to whom was referred H. B. No. 14, relating to the study of physiology and hygiene in the public schools, ask leave to report that we have carefully considered the provisions of the bill and, while the text books proposed meet our hearty approval, we seriously doubt the wisdom of making the study of the same compulsory, and herewith return the bill without our recommendation.

WELLS, Chairman.

Report received and H. B. No. 14 was placed on general orders.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I will on to-morrow or some future day introduce a bill for an act appointing stock detectives and inspectors, and levying a tax upon live stock for certain purposes.

HOLT

Mr. Speaker:

I hereby give notice that I will to-morrow or at some future day ask leave to introduce a bill for an act to amend sections 179, 181, 198, and 202, of the first division, code of civil procedure, revised statutes of Montana, relating to attachments.

BIDDLE.

Mr. Speaker:

I will to-morrow or some future day introduce a bill to authorize the school trustees of district No. 1, Deer Lodge County, to issue bonds for certain purposes.

CONRAD KOHRS.

Mr. Speaker:

I will on to-morrow or some subsequent day introduce a bill relating to the apportionment for publication of delinquent taxes.

TINGLE.

Mr. Speaker:

I hereby give notice that I will upon to-morrow or some subsequent day introduce a bill for an act to amend section 644, chapter 26, fifth division of the revised statutes, relating to game.

HATCH.

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day of the session ask leave to introduce a bill entitled an act to amend section 504, chapter 19, revised statutes of Montana, relating to the education of deaf, dumb and blind children.

WELLS.

The following report was received :

Mr. Speaker:

Your joint committee on enrollment beg leave to report that they have examined C. B. No. 15 and find same correctly enrolled, which is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker gave notice that he was now about to sign C. B. No. 15.

Bills were introduced as follows :

By Emigh—H. B. No. 33, "A bill for an act to create the county of Bitter Root."

Read first and second times and referred to the committee on towns and counties.

By Fisk—H. B. No. 34, "A bill for an act to create the county of Valley."

Read first and second times and referred to the committee on towns and counties.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, January 29, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that notices of the introduction of bills were given as follows :

By DeWolfe—"A bill to amend section 342 of the fifth division of the revised statutes." Also "A bill in reference to filing mortgages." Also "A bill to amend sections 179 and 180 of the code of civil procedure."

That Buck introduced C. B. No. 26, "An act to amend chapter 4 and chapter 4 of title 10 of the code of civil procedure."

That the president announced the signing of C. B's Nos. 4 and 14.

That H. J. R. in reference to joint committee on ways and means has been adopted by the council, and in conformity therewith the president has appointed Messrs. Barrett and Cotant.

H. J. R. in reference to the appointment of a committee to visit and inspect the penitentiary and territorial insane asylum has been adopted by the council, and the president has appointed in conformity therewith Messrs. Greene, Buck and Kennedy on the part of the council.

DAVID MARKS, Chief Clerk.

Substitute for H. B. No. 24 was read a third time and passed by the following vote.

Ayes.—Baldwin, Biddle, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes.—None.

Absent—Eastman, Forbis, Page, Perkins, Speer.—5.

Title agreed to.

H. B. No. 29 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—18.

Noes.—Potts.—1.

Absent—Eastman, Forbis, Page, Perkins, Speer.—5.

Title agreed to.

On motion of Mr. Potts the house adjourned.

HARRY H. DAVIS, Chief Clerk.

NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 30, 1885.

House met pursuant to adjournment at 10 o'clock a. m.
Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Forbis, Perkins.

Prayer by the chaplain.

Journal of the eighteenth day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 30, 1885.

To the House of Representatives:

I have the honor to inform the house of representatives that I have this day signed H. J. R. No. 5, "For the relief of Fisk Bros., Helena."

Very respectfully,

B. P. CARPENTER.

Leave of absence granted the committee appointed to inspect the penitentiary and insane asylum, for such time as is necessary for the proper discharge of their duties.

Leave of absence granted Mr. Speaker for the day to enable him to attend the supreme court.

Mr. Fisk was called to the chair.

The leave of absence of Messrs. Forbis and Perkins was extended for two days.

The following petitions were received.

Mr. Potts presents the petition of S. D. Pinkney and 35 other citizens of Madison county praying the enactment of a law to prohibit gambling.

Mr. Potts presented the petition of D. O. Spalding and 37 other citizens of Madison county praying the legislature to enact a law requiring the instruction in physiology and hygiene to be given all the public schools.

Referred to the committee on education and labor.

Mr. Speaker:

I herewith present the petition of four hundred tax payers, praying for the establishment of the county of Pen d'Oreille.

EASTMAN.

Referred to the committee on towns and counties.

The following reports were received:

Mr. Speaker:

The committee on the judiciary to whom was referred H. B. No.

28, "A bill for an act authorizing the governor to contract for the keeping and maintenance of prisoners," having had the same under consideration, report the same back to the house with the following amendments, and recommend their adoption, and that when adopted the bill do pass.

(Signed)

B. F. Potts.
Clyde Eastman.
J. T. Baldwin.

Report adopted, and bill as amended ordered engrossed.

Mr. Speaker:

The committee on the judiciary to whom was referred H. B. No. 30, entitled A bill for an act entitled an act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses, having had the same under consideration, report the same back and recommend its indefinite postponement.

B. F. Potts.
Clyde Eastman.
J. T. Baldwin.

Report received and H. B. No. 30 was laid upon the table.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that C. B. No. 4 and C. B. No. 14 were presented by said committee to the governor for his approval on January 29, 1885, at 11:25 a. m.

TINGLE.

Chairman House Committee.

Mr. Speaker:

The committee on ways and means to whom was referred H. B. No. 32, entitled "An act to amend section 387 of the fifth division of the revised statutes relating to the duties of county clerks," having had the same under consideration, report the bill back and recommend the adoption of the following substitute for said bill.

B. F. POTTS.
GEO. M. HATCH.
JOHN T. BALDWIN.

Report adopted, and substitute for H. B. No. 32 was placed on general orders.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I hereby give notice that I will to-morrow or on some subsequent day of the session ask leave to introduce a bill entitled an act relating to marriage.

J. WELLS.

Mr. Speaker:

I hereby give notice that I will to-morrow or on some future day ask leave to introduce a bill for an act to authorize the appointment of foreign executors and administrators in certain cases.

BIDDLE.

Mr. Speaker:

I hereby give notice that I will on to-morrow or some future day introduce a bill for an act entitled an act concerning witnesses.

JURGENS.

Bills were introduced as follows:

By Biddle—H. B. No. 35, "A bill for an act to amend sections 179, 181, 198, and 202, of the first division of the code of civil procedure, revised statutes of Montana, relating to attachments."

Read first and second times and ordered printed.

By Kohrs—H. B. No. 36, "A bill for an act to authorize the school trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes."

Read first and second times and referred to the committee on education and labor.

By Eastman—H. B. No. 37, "An act to create the county of Pen d'Oreille."

Rules suspended, read first and second times by title, and referred to the committee on towns and counties.

By Wells—H. B. No. 38, "An act to amend section 504, chapter 19, revised statutes of Montana, relating to the education of deaf, dumb and blind children."

Read first and second times and referred to the committee on education and labor.

On motion of Mr. Potts the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Fisk in the chair.

Roll called—quorum present.

The following reports were received:

Mr. Speaker:

Your committee engrossment to whom was referred H. B. No. 16, "A bill for an act concerning the representation of quartz

lodes," beg leave to report that they have examined the same and find it correctly engrossed as amended.

GEO. R. NICHOLS, Chairman.

Report received, and H. B. No. 16 was passed to a third reading.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 22, "An act to amend an act entitled an act to amend section 48, chapter 18, of general and miscellaneous laws of Montana, approved July 22, 1879," report that they have examined the same and find it correctly engrossed as amended.

GEO. R. NICHOLS, Chairman.

H. B. No. 22 was passed to a third reading.

On motion of Mr. Seligman the motion by which H. B. No. 16 was passed to a third reading was reconsidered and it was recommitted to the committee on mines and minerals.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 8, "An act to amend section 184 of the first division of the revised statutes of Montana," report that they have examined the same and find it correctly engrossed as amended.

GEO. R. NICHOLS, Chairman.

C. B. No. 8 was passed to a third reading.

Mr. Speaker:

Your committee on printing to whom were referred H. B's Nos. 10, 15, 25, 26, and also substitute for C. B. No. 10, beg leave to report that they have examined the same and find them correctly printed.

J. H. JURGENS.

H. B. No. 25 was referred to the joint committee on ways and means.

H. B. No. 10 was referred to the committee on judiciary.

Substitute for C. B. No. 10 was placed on general orders.

H. B. No. 26 was referred to the joint committee on ways and means.

H. B. No. 15 was referred to the committee on judiciary,

On motion of Mr. Baldwin the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWENTIETH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., January 31, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Perkins.

Prayer by the chaplain.

Journal of the nineteenth day read and approved.

Leave of absence granted Mr. Foster, the enrolling and engrossing clerk, for the day.

The following communications were received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, January 31, 1885.

To the Legislative Assembly :

I have the honor herewith to transmit to the legislative assembly the annual reports of the territorial auditor of public accounts, and of the territorial treasurer for the years 1883 and 1884.

Very respectfully,

B. P. CARPENTER.

The reports were referred to the committee on ways and means.

COUNCIL CHAMBER,
Helena Montana, January 30, 1885.

I am directed by the council to inform your honorable body that bills were introduced as follows :

By Fergus—C. B. No. 27, "An act to create the county of Judith and for the election of officers thereof."

By DeWolfe—C. B. No. 28, "An act concerning filing of mortgages;" also,

C. B. No. 29, "An act to amend sections 179, 180, and 202, of chapter 4, of the code of civil procedure;" also,

C. B. No. 30, "An act to amend section 342, of fifth division, of the revised statutes."

Chessman introduced C. J. R. No. 2, "To pay for marks and brands."

The president announced the signing of C. B. No. 15.

H. J. R. No. 6 and C. B. 19 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

Leave of absence granted Mr. Speaker for two hours, for attendance on the supreme court.

The following petitions were received :

Forbis presented 16 petitions from citizens of Silver Bow, Jefferson and Madison counties asking for the enactment of a law to suppress gambling.

Mr. Potts presented the petition of R. P. Bateman and 69 other citizens of Sheridan, Madison county, praying the passage of a law to suppress the vice of gambling.

Mr. Holt presented the petition of 102 citizens of Custer county, praying the passage of a law to suppress the vice of gambling.

Mr. Potts presented the petition of John Gannon and 178 citizens of Beaverhead county, praying for the enactment of a law requiring physiology and hygiene to be taught in the public schools.

The foregoing petitions were referred to the committee on education and labor.

Mr. Forbis presented the petition of a number of butchers of Butte, praying for an equalization of the license.

Referred to the committee on ways and means.

The following communication was received :

HELENA, MONT., Jan. 29, 1885.

To the Hon. Speaker and Members of the House of Representatives.

Gentlemen :

You are respectfully invited to attend a union meeting under the auspices of the Ladies' Aid Society of Helena Lodge No. 2, I. O. G. T., to be held at the Grand street church, Warren street, on Sunday evening, February 1, 1885, at 7:30 o'clock. An interesting programme has been arranged, and it is earnestly hoped that you will be present.

Very respectfully,

Mrs. A. H. Priest,
Mrs. H. Kirkendall,
Committee.

The following reports were received :

Mr. Speaker :

The committee on education and labor to whom was referred H. B. No. 36, entitled an act authorizing school trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes, report the same to the house with amendment, and the recommendation that the bill so amended do pass.

WELLS, Chairman.

Report adopted, the rules were suspended, the bill considered engrossed as amended, and passed to a third reading.

Mr. Speaker :

Your committee on mines and minerals to whom was recommit-
ted H. B. No. 16, report same back to house with following amend-
ment: add to section 1 the following—

The sixty days, however, during which time representation work may be recorded, shall not extend beyond the first day of January, on which the claim of a person to a lode would expire by the existing statutes of the United States, and recording made after such first day of January shall not be *prima facie* evidence of representation work which should have been done on such claim before that time. And recommend that the bill as amended pass at once to its third reading.

A. J. SELIGMAN, Chairman.

Report received, and bill with amendment placed on general orders.

Notices of the introduction of bills were given as follows:

Mr. Speaker :

I hereby give notice that I will to-morrow or some subsequent day of the session introduce a bill for an act concerning private corporations,

A. J. SELIGMAN.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day of the session I will introduce a bill regulating the selling or furnishing of spirituous or malt liquors.

NICHOLS.

Mr. Speaker :

I will on Monday, February 2, 1885, or at some subsequent time introduce a bill providing for the transfer of certain records relating to the Butte town site.

FORBIS.

Bills were introduced as follows :

By Jurgens—H. B. No. 39, "An act concerning witnesses."

Read first and second times and referred to the committee on judiciary.

By Biddle—H. B. No. 40, "A bill for an act to authorize the appointment of foreign executors and administrators in certain cases."

Read first and second times and referred to the committee on judiciary.

H. B. No. 22 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Fisk, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Robinson, Seligman, Sloan, Wells.—14.

Noes—Forbis, Jurgens, Potts.—3.

Absent—Emigh, Page, Perkins, Speer, Taylor, Tingle, Mr. Speaker.—7.

Title agreed to.

On motion of Mr. Forbis the motion by which H. B. No. 36 was passed to a third reading was reconsidered, and it was ordered engrossed.

C. B. No. 8 was read a third time, the rules were suspended, and it was recommitted to the committee on engrossment.

C. B. No. 19 was read first and second times and referred to the committee on judiciary.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Potts in the chair.

On motion of Mr. Forbis the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 2d, 1885.

House met pursuant to adjournment at 10 o'clock A. M.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Perkins and Speer.

Prayer by the chaplain.

Journal of the twentieth day read and approved.

Leave of absence granted Mr. Baldwin, for February 2 and 3, and Mr. Perkins leave extended to include February 2 and 3.

The following petitions were received.

Mr. Potts presents the petition of W. Egbert Smith and 443 other citizens of Silver Bow county, praying the passage of a law requiring that physiology and hygiene be taught in the public schools.

Referred to the committee on education and labor.

Mr. Speaker:

I herewith present a communication from 62 tax-payers of Custer county, asking for the repeal of the drummers license.

HOLT.

Referred to the committee on ways and means.

Mr. Speaker:

I hereby present a petition signed by eighty-nine citizens and tax-payers of Bitter Root valley, praying for a division of Missoula county, and organizing a new county of Bitter Root.

EMIGH.

Referred to the committee on towns and counties.

The following reports were received:

Mr. Speaker:

The committee on education and labor to whom was referred H. B. No. 23, a bill for an act to suppress gambling, report the same to the house with the recommendation that the bill do pass.

WELLS, Chairman.

H. B. No. 23, was placed on general orders.

Mr. Speaker:

The committee of the whole, herewith report substitute for H. B. No. 32, with recommendation that the same do pass.

Also substitute for C. B. No. 10, with recommendation that the same do not pass.

FORBIS, Chairman.

The rules were suspended, substituted for H. B. No. 32, was considered engrossed and passed to a third reading.

On motion of Mr. Forbis, substitute for C. B. No. 10, was indefinitely postponed by the following vote :

Ayes—Biddle, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Robinson, Seligman, Sloan, Taylor and Tingle—12.

Noes—Eastman, Emigh, Fisk, Holt, Norton, Page, Potts, Wells and Mr. Speaker—9.

Absent—Baldwin, Perkins and Speer—3

Notices of the introduction of bill were given as follows :

Mr. Speaker:

I give notice that I will on to-morrow or some subsequent day of the session, introduce a bill for an act to amend section 89, article 2, fifth division of the revised statutes of the territory of Montana and for other purposes.

B. F. POTTS.

Mr. Speaker:

I give notice that I will on to-morrow or some subsequent day of the session, introduce a bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners. Approved February 10th, 1881.

B. F. POTTS.

Mr. Speaker:

I hereby give notice that I will to-morrow or at some future day ask leave to introduce a bill for an act to amend sections 87 and 92 of the first division, code of civil procedure revised statutes of Montana.

BIDDLE.

Mr. Speaker:

I hereby give notice that I will on to-morrow or some future day introduce a bill to prohibit persons from hunting or shooting within the enclosures of others, without leave.

TAYLOR.

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day of the session, ask leave to introduce a bill entitled an act to provide the public schools of Montana with certain books.

WELLS.

Mr. Speaker:

I hereby give notice that on to-morrow or some subsequent day, I will introduce a bill, entitled an act to amend section four of an act concerning chattle mortgages. Approved Feb. 19th, 1881.
Eastman.

Bills were introduced as follows :

By Seligman—H. B. No. 41, "an act concerning private corporations." The rules were suspended, the bill was read first and second times by title, and ordered printed.

By Forbis—H. B. No. 42, "a bill for an act providing for the transfer of certain records relating to the Butte townsite." Read first and second times and referred to a select committee consisting of the members from Silver Bow and Deer Lodge counties.

The following communication was received :

COUNCIL CHAMBER,
Helena, M. T., Feb. 2d, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that notices of the introduction of bills were given as follows :

By Armstrong—"A bill to amend section 155 of chapter 2 of the first division of the revised statutes." Also; "A bill to amend section 1219 of chapter 67 of the fifth division of the revised statutes." Also; "A bill to amend the second subdivision of section 211 of chapter 19 of the third division" of the revised statutes." Also; "A bill authorizing the county commissioners of the several counties to pay a bounty for scalps of certain animals killed in their respective counties.

Chessman introduced C. B. No. 31—"An act to amend section 1072 of the fifth division of the Revised statutes."

DAVID MARKS, Chief Clerk.

Nichols introduced H. B. No. 43—"A bill regulating the furnishing or selling of spirituous or malt liquors.

Read first and second times and ordered printed.

The following report was received :

Mr. Speaker:

Your committee on enrollment beg leave to report, that they have examined C. B. No. 18, and find the same correctly enrolled, which is herewith presented to the speaker of the house for his signature.

The speaker announced that he was now about to sign C. B. No. 18.

Tingle introduced H. B. No. 44—"A bill for an act relating to the apportionment of the amount collected for the publication of delinquent taxes."

Read first and second times and referred to the committee on ways and means.

Substitute for H. B. No. 32, was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker—21.

Noes—None.

Absent—Baldwin, Perkins, Speer.—2.

Title agreed to.

On motion of Mr. Forbis, H. B. No. 23, was taken from general orders, and made a special order of business for 2-15 P. M. Wednesday.

On motion of Mr. Forbis, H. B. No. 14, was taken from general orders, and recommitted to the committee on education and labor.

H. B. No. 26, was withdrawn from the committee on ways and means and referred to the committee on incorporations.

On motion of Mr. Seligman the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following report was received :

Mr. Speaker :

Your committee on printing herewith report back to the house, H. B. No. 35, relating to attachments ; and substitute for H. B. No. 8, to define the duties of county commissioners, correctly printed.

Respectfully,

FISK, Chairman.

H. B. No. 35 was referred to committee on judiciary.

H. B. No. 8 was placed on general orders.

H. J. R. No. 6 was ordered enrolled.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Eastman in the chair.

House resumed. Mr. Speaker in the chair.

On motion of Mr. Hatch, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 3d, 1885.

House met pursuant to adjournment at 10 o'clock a.m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Baldwin, Perkins and Speer.

Prayer by the chaplain.

Journal of the twenty-second day read and approved.

The following communication was received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, Montana, February 3, 1885.

To the Legislative Assembly :

I herewith transmit to the legislative assembly the report (not in duplicate) of the inspector of the Warm Springs insane hospital, with five appended papers containing detailed statements as to the admission and discharge of patients, and a classified table as to the conditions, duration, and probable causes of insanity.

Very respectfully,

B. P. CARPENTER.

The report was referred to the special committee on penitentiary and insane asylum.

The following petitions were received :

Mr. Norton presented the petition of 32 citizens of Gallatin county requesting the passage of the bill for the purpose of annexing a portion of Gallatin county to Yellowstone county.

Referred to the committee on towns and counties.

Mr. Speaker :

I herewith present seventeen additional names from the easterly portion of Jefferson county, praying for the creation of Valley county.

Respectfully,

FISK.

Referred to the committee on towns and counties.

Mr. Tingle presented the petition of 126 citizens and tax payers of the city of Helena, praying for the repeal of the commercial travelers' license.

Referred to the committee on ways and means.

Mr. Speaker:

I hereby present the names of 351 tax payers of Jefferson county praying that certain portions of Jefferson county be annexed to Lewis and Clarke.

Respectfully,

FISK.

Referred to the committee on towns and counties.

Mr. Potts presents the petition of H. Kirkendall and 34 other citizens of Lewis and Clarke county praying for the enactment of a law requiring physiology and hygiene to be taught in the public schools.

Mr. Potts presents the petition of John Gannon, county superintendent of common schools of Beaverhead county, and 178 other citizens of Beaverhead county, praying the enactment of a law requiring that physiology and hygiene be taught in the public schools.

Referred to the committee on education and labor.

Mr. Potts presents the petition of Rev. L. L. Wood and 26 other citizens of Lewis and Clarke county, praying the enactment of a law to suppress the vice of gambling.

Laid upon the table for the consideration of the committee of the whole.

The following reports were received:

Mr. Speaker:

The joint committee on ways and means to whom was referred H. B. No. 44, A bill for an act relating to the apportionment of the amount collected for the publication of delinquent taxes, having had the bill under consideration, report the same back with the recommendation that it be indefinitely postponed.

B. F. POTTS, Chairman House Committee.

MORRIS, Chairman Council Committee.

Report adopted and H. B. No. 44 was indefinitely postponed.

Mr. Speaker:

The joint committee on ways and means to whom was referred H. B. No. 21, "A bill for an act to prevent double taxation," having

had the bill under consideration report the same back and recommend its indefinite postponement.

MORRIS,
Chairman Joint Committee.

Referred to the committee on territorial affairs, with instructions.

Mr. Speaker:

The committee on education and labor to whom was referred H. B. No. 38, relating to the education of deaf, dumb and blind children, having had the same under consideration return herewith a substitute therefor with the recommendation that the same do pass.

WELLS, Chairman.

Report adopted, the bill ordered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on towns and counties to whom was referred H. B. No. 7, relating to the boundary lines between the counties of Gallatin and Yellowstone, have had the same under consideration and beg leave to report the same back to the house with the recommendation that it do pass.

NORTON, Chairman.

The report was laid upon the table in order to give the minority time to report.

On motion of Mr. Potts the report of Dr. Cole, inspector of the insane asylum, was withdrawn from the special committee in order that it might be read to the house and transmitted to the council.

The following report was received :

Mr. Speaker:

Your committee of the whole having under consideration H. B's Nos. 16 and 19, and substitute for H. B. No. 8, submits following report :

H. B. No. 16 considered, and amended as follows : Add to section 1 the following : "But no affidavit after the year within which representation should have been performed shall be received in evidence for any purpose." Bill, as amended, adopted and recommended to the house that same do pass.

H. B. No. 19 considered, and amended as follows : Section 7. "Provided that none of the hereinbefore described fences shall be deemed legal and sufficient for stack yards or places where grain or

straw is kept, but that such stack yards and places shall be fenced by a fence six feet high, composed of not less than six poles or boards fastened securely to posts firmly set in the ground, and not exceeding fourteen feet apart."

Amended. That 4, 6, 10, 13, be substituted, for words "two feet" "one foot and a half." Eighteenth line, for "shall be as difficult" substitute "it shall be impossible."

Amend by inserting following after the enacting clause: Section 1. That section 1 of an act concerning fences, approved February 23, 1881, be amended to read as follows:

Amend by striking out word "sixteen" wherever it occurs, and insert in lieu thereof "twenty."

Bill as amended adopted, and referred to the house with recommendation that same do pass.

Substitute for H. B. No. 8 considered, and amended as follows:

Amend: Insert words "and treasurers" after words "commissioners in title."

Bill as amended adopted, and referred to the house with recommendation that same do pass.

All of which is respectfully submitted.

EASTMAN, Chairman.

Substitute for H. B. No. 8, after discussion, was recommitted to the committee on judiciary, with instructions.

On motion of Mr. Emigh the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Further consideration of the report of the committee of the whole.

Report regarding H. B. No. 16 was adopted, the bill as amended was ordered engrossed and passed to a third reading.

On motion of Mr. Forbis the amendments to H. B. No. 19, recommended by the committee of the whole, were adopted by the house.

The following amendment was adopted:

Amend.—Strike out all in 6th sub-div. after word “pass” in line 19 of printed bill.

BIDDLE.

H. B. No. 19 was ordered engrossed as amended and passed to a third reading.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 36, “A bill for an act to authorize the school trustees of District No. 1, Deer Lodge county, to issue bonds for certain purposes,” beg leave to report that they have examined the same and find the same correctly engrossed as amended.

GEO. R. NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 8, regulating the attachment of real estate, beg leave to report, returning the same with amendments correctly engrossed.

GEO. R. NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 28, “A bill for an act authorizing the governor to contract for the keeping and maintenance of territorial prisoners,” beg leave to report that they have examined the same and find it correctly engrossed.

GEO. R. NICHOLS, Chairman,

H. B. No. 36, C. B. No. 8 and H. B. No. 28 were passed to a third reading.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill for an act to authorize the organization and incorporation of annuity safe deposit and trust companies.

POTTS.

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a house joint resolution for the relief of John O'Neill, J. H. McFarland and George Bashaw.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that I will to-morrow or at some subsequent day of the session introduce a bill for an act to amend section 400 of the fifth division of the revised statutes, regarding powers of undersheriffs.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill apportioning certain sections of Jefferson county to adjacent counties.

FISK.

Mr. Speaker:

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill to regulate the sale and use of oleomargarine, butterine, suine, and other substitutes for butter or cheese.

FISK.

Bills were introduced as follows:

By Kohrs—H. B. No. 45, "A bill for an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle."

Read first and second times and ordered printed.

By Biddle—H. B. No. 46, "A bill for an act to amend sections 87 and 92 of the first division, code of civil procedure of the revised statutes of Montana."

Read first and second times and referred to the committee on judiciary.

By Wells—H. B. No. 47, "A bill for an act entitled an act to supply the public schools with Webster's dictionaries."

Read first and second times and referred to the committee on education and labor.

By Eastman—H. B. No. 48, "A bill for an act to amend section 4 of an act concerning chattel mortgages, approved February 19, 1881."

Read first and second times and referred to the committee on judiciary.

By Seligman—H. J. R. No. 7 "For the relief of J. O'Neill, J. H. McFarland, and G. Bashaw.

Read first and second times and referred to the committee on military affairs.

By Potts—H. B. No. 49, "A bill for an act to amend section 89, article 2, fifth division, revised statutes of the territory of Montana, and for other purposes.

Read first and second times and referred to the committee on ways and means.

Also, H. B. No. 50, "A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10, 1881.

Read first and second times and referred to the committee on ways and means.

C. B. No. 8, as amended, was read a third time, and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Baldwin, Perkins, Speer.—3.

Title amended to read "An act to amend section 184 of the first division of the revised statutes of Montana."

H. B. No. 36 was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—None.

Absent—Baldwin, Nichols, Perkins, Speer.—4.

Title agreed to.

H. B. No. 28 was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—None.

Absent—Baldwin, Fisk, Nichols, Perkins, Speer.—5.

Title agreed to.

The report of Dr. Cole, inspector of the insane asylum, was read and ordered transmitted to the council.

C. J. M. No. 1 was read first and second times and referred to the committee on public lands.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 3, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that notices were given as follows:

By Greene—"A bill entitled an act to incorporate the town of Billings."

By Kennedy—"A bill to amend an act to provide for municipal corporations in the territory of Montana, approved February 17, 1881."

Bills were introduced as follows:

By Greene—C. B. No. 32, in relation to taxation of telegraph and telephone lines.

By Armstrong—C. B. No. 33, "An act to amend section 1219, of chapter 67, of the fifth division of the revised statutes;" also,

C. B. No. 34, "An act to amend section 155, of chapter 2, of the first division of the revised statutes;" also,

C. B. No. 35, "An act concerning bounty for killing certain animals;" also,

C. B. No. 36, "An act to amend the second subdivision of section 211, of chapter 19, of the third division of the revised statutes.

C. J. M. No. 1 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Mr. Wells the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 4, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer. Absent, Baldwin.

Prayer by the chaplain.

Journal of the twenty-third day read and approved.

The following petitions were received:

Forbis presents petitions from 173 citizens of Deer Lodge county, and 280 citizens of Lewis and Clarke county, praying for the passage of a law suppressing gambling.

Also, petitions from 155 citizens of Deer Lodge county, praying for the passage of law requiring physiology and hygiene to be taught in the public schools.

The petitions from Deer Lodge and Lewis and Clarke counties, in reference to the suppression of gambling, were laid upon the table for the information of the committee of the whole.

The one from Deer Lodge county, praying for the teaching of physiology and hygiene, was referred to the committee on education and labor.

Mr. Potts, presented the petition of R. H. Howey and 25 other citizens of Lewis and Clarke county praying for the enactment of a law requiring that physiology and hygiene be taught in the public schools.

Mr. Potts presented the petition of D. B. Howe and 41 other citizens of Helena, praying the passage of a law requiring physiology and hygiene to be taught in the public schools.

Mr. Potts presented the petition of W. M. Bullard and 27 other citizens of Jefferson county, praying for the enactment of a law requiring that physiology and hygiene be taught in the public schools.

Referred to the committee on education and labor.

The petition of 59 residents of the town of Morland, county of Gallatin, was presented, protesting against the cutting off any portion of Gallatin county.

Referred to the committee on towns and counties.

The following reports were received:

Mr. Speaker:

The committee on the judiciary to whom was referred C. B. No. 9, for an act to amend section 575 of the fifth division of the revised statutes, having had the same under consideration, report the bill back and recommend that it be indefinitely postponed.

POTTS,
FORBIS.
EASTMAN.

Ordered to a third reading.

Mr. Speaker :

The committee on the judiciary to whom was referred H. B. No. 31 bill for an act to amend an act concerning the fees of jurors in civil cases, approved Feb. 21st, 1881, having had the same under consideration report the bill back and recommend the adoption of the following substitute for said bill.

B. F. POTTS.
FORBIS.
EASTMAN.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker :

The committee on the judiciary to whom was referred, C. B. No. 19. A bill for an act relative to the bonds of clerks of courts having had the same under consideration report it back with the the recommendation that the bill do pass.

B. F. POTTS.
FORBIS.
EASTMAN.

Report adopted and the bill was passed to a third reading.

Mr. Speaker :

The committee on education and labor to whom was referred, H. B. No. 47, relating to the supplying of public schools with Webster's dictionary, report the same herewith and recommend that the bill do pass.

WELLS, Chairman.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker :

Your committee on towns and counties to whom was referred. H. B. No. 33, an act to create the county of Bitter Root, have had the same under consideration and beg leave to report the same back to the house with the accompanying amendments and recommend its passage as so amended.

NORTON, Chairman.

The report was adopted, the bill ordered engrossed.

Mr. Speaker :

The committee on military affairs, to whom was referred.

H. J. R. No. 7, for the relief of John O'Neill, J. H. McFarland and George Bashaw, having had the same under consideration report the same back and recommend its adoption.

B. F. POTTS,
JOHN M. ROBINSON.
J. M. PAGE.
P. J. MOORE.

Referred to a select committee of three, with instructions.

The chair appointed as such select committee, Mesrs Seligman, Forbis and Nichols.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I will to-morrow or on some future day of the session offer a house joint resolution for the relief of Marshall D. Platner, ex-sheriff of Madison county.

PAGE.

Mr. Speaker :

I hereby give notice that I will on to-morrow or at some future day introduce a house joint resolution for the purpose of placing insurance on the Montana Territorial Law Library.

JURGENS.

Seligman introduced H. B. No. 51. "For an act to amend section 400 of the fifth division, revised statutes of the territory of Montana."

Read first and second times and referred to the committee on judiciary.

C. B. No. 9, was read a third time and lost by the following vote:

Noes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker.—22

Ayes—None.

Absent—Baldwin, Speer,—2.

C. B. No. 19 was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts,

Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker—22.

Noes—None.

Absent—Baldwin, Speer.—2.

Title agreed to.

On motion of Mr. Norton, the house took a recess until 2 p. m.

Two 2 o'clock p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following communication was received :

COUNCIL CHAMBER,
Helena, M. T., Feb. 4th, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorably body, that, notices of the introduction of bills were given as follows :

By DeWolfe. "A bill to amend section 428 of the code of civil procedure."

By Buck. "A bill to provide for an act to amend section 253 of the code of civil procedure."

That bills were introduced as follows :

By Kennedy. "C. B. No. 37, an act to amend an act providing for municipal corporations."

By Greene. "C. B. No. 38, an act to amend an act entitled an act to establish a series of text books for the public schools, approved Feb. 23d, 1881," was ordered printed.

Buck introduced, C. J. R. No. 3, "making appropriations for the pay of members of the constitutional convention."

That the council concurs in house amendments to C. B. No. 8.
DAVID MARKS, Chief Clerk.

The hour having arrived for which H. B. No. 23, was made a special order, the house resolved itself into a committee of the whole, for the consideration thereof.

Mr. Robinson in the chair.

House resumed. Mr. Speaker in the chair.

Rr. Rubinson was granted time in which to make a report of the committee of the whole.

On motion of Mr. Fisk, the house adjourned.

HARRY H. DAVIS, Chief Clerk

TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 5, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

Prayer by the chaplain.

Journal of the twenty-fourth day read and approved.

Mr. Baldwin was excused for his absence yesterday, Mr. Tingle inadvertently failing to ask for an extension of his leave.

Mr. Fisk presented the petition of residents of the easterly portion of Meagher county asking for the creation of Valley county.

Referred to the committee on towns and counties.

The following reports were received:

Mr. Speaker:

The joint committee on ways and means to whom was referred H. B. No. 50, A bill for an act to amend an act to regulate the fees of sheriffs for board of prisoners, approved February 10, 1881, having had the same under consideration, report the bill back with the recommendation that it be amended by striking out the word "fifty" and inserting in lieu thereof the word "sixty" in the last line of the bill, and when the bill is so amended that it do pass.

MORRIS, Chairman Joint Committee on Ways and Means.

Report adopted, the rules were suspended, the bill considered engrossed, and passed to a third reading.

Mr. Speaker:

Your committee on engrossment to whom was referred substitute for H. B. No. 38, "A bill for an act to amend sections 504 and 506 of the fifth division, revised statutes of Montana territory," have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 19, "A bill for an act to amend an act entitled 'An act concerning fences,' approved February 23, 1881," have examined the same and find it correctly engrossed as amended.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 16, "A bill for an act concerning the representation of quartz lodes," have examined the same and find it correctly engrossed as amended.

GEO. R. NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 33, "An act to create the county of Ravalli," beg leave to report that they have examined the same and find it correctly engrossed.

GEO. R. NICHOLS, Chairman.

Reports received, and H. B's Nos. 38, 19, 16 and 33 were passed to a third reading.

Mr. Speaker:

Your committee of the whole to whom was referred H. B. No. 23, An act for the suppression of gambling, have instructed me to report the same back with the recommendation that it do pass.

ROBINSON, Chairman,

Mr. Baldwin moved that H. B. No. 23 be referred to the committee on judiciary.

Lost by the following vote:

Ayes—Baldwin, Kohrs, Potts, Seligman, Taylor.—5.

Noes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells, Mr. Speaker.—18.

Absent—Speer.

Mr. Baldwin moved to lay the report on the table until Saturday morning.

Motion lost.

Mr. Baldwin moved that the bill be referred to a special committee of three, consisting of Mr. Speaker, Messrs. Forbis and Potts.

Motion lost.

The report of the committee of the whole, recommending that H B. No. 23 do pass, carried by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells, Mr. Speaker.—18.

Noes—Baldwin, Kohrs, Potts, Seligman, Taylor.—5.

Absent—Speer.

Mr. Potts offered the following amendment :

Add the following as section 5—

Sec. 5. That if any person shall play at any game whatsoever, for any sum of money or other property of any value, or shall make any bet or wager on the result of any horse race or any election held in this territory, for any sum of money or other property of value, every such person shall on conviction thereof be fined in any sum not exceeding one hundred dollars, or be imprisoned in the county jail not less than ten days nor more than six months.

Mr. Baldwin moved to take a recess until 2 p. m.

Motion lost.

The amendment offered by Mr. Potts was lost by the following vote :

Ayes.—Baldwin, Holt, Jurgens, Kohrs, Potts, Seligman, Taylor, Mr. Speaker.—8.

Noes.—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Moore, Nichols, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells.—15.

Absent—Speer.

Mr. Forbis moved that the rules be suspended, the bill considered engrossed, and passed to a third reading.

Mr. Baldwin offered a substitute for the bill.

The chair ruled the substitute out of order.

Mr. Tingle moved the previous question—seconded.

The chair stated the question to the house. "Shall the main question be now put?"

Mr Baldwin moved to adjourn.

The chair ruled the motion out of order.

Mr. Potts appealed from the decision of the chair.

The chair sustained by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells.—17.

Noes.—Baldwin, Kohrs, Potts, Seligman, Taylor.—5.

Absent—Speer.

The question being stated "shall the previous question be now put," was carried by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells, Mr. Speaker.—18.

Noes.—Baldwin, Kohrs, Potts, Seligman, Taylor.—5.

Absent—Speer.

The question being stated "Shall the main question be now put?" was carried by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells, Mr. Speaker.—18.

Noes.—Baldwin, Kohrs, Potts, Seligman, Taylor.—5.

Absent—Speer.

On motion of Mr. Forbis the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Communication from the council received.

On motion of Mr. Potts the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 6, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the twenty-fifth day read and approved.

Leave of absence granted Mr. Nichols for to-day and to-morrow.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I give notice that I will on to-morrow or some subsequent day of the session introduce a bill to amend section 229, article 2, chapter 13, fifth division of the revised statutes of Montana territory.

POTTS.

Mr. Speaker:

I give notice that I will on to-morrow or some subsequent day of the session introduce a bill for the relief of A. J. Davidson and William N. Baldwin.

POTTS.

Mr. Speaker:

I hereby give notice that on to-morrow or some subsequent day of the session I will introduce a bill asking the aid of Gallatin county in the construction of an irrigating canal therein.

ROBINSON.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 5, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Kennedy—"A bill for an act to incorporate the city of Missoula."

By Armstrong—"A bill to amend sections 374, 378, and 399, of the third division of the revised statutes;" also,

"A bill for the relief of Josephus P. Martin;" also,

"An act to repeal an act concerning the fees of jurors in civil cases, approved February 21, 1881."

Bills were introduced as follows:

By Buck—C. B. No. 39, "An act to amend section 253 of the code of civil procedure."

By DeWolfe—C. B. No. 40, "A bill for an act to amend section 428 of the first division of the revised statutes."

On motion of DeWolfe the following resolution was adopted :
Council joint resolution—

Resolved, by the legislative council, the house of representatives concurring, that Saturday, February 21, 1885, be and the same is hereby fixed as the day of final adjournment of the present session of the legislative assembly.

That H. B. No. 22 was lost in the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

Bills were introduced as follows:

By Taylor—H. B. No. 52, "A bill for an act to prevent persons from hunting and shooting within the enclosures of others without leave."

Read first and second times and referred to the committee on grazing and stock growing.

By Potts—H. B. No. 53, "An act to authorize the organization and incorporation of annuity safe deposit and trust companies."

The rules were suspended, the bill read first and second times by title, and ordered printed.

By Jurgens—H. J. R. No. 8, "For placing insurance on the Montana law library."

Read first and second times and referred to the committee on judiciary.

H. B. No. 33 was read a third time.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 6, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Fergus—"A bill for an act relating to conveyances of married women and corporations." That H. B. No 36 and C. B's Nos. 25 and 30 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

Mr. Potts moved that H. B. No. 33 be laid on the table. Motion lost.

Mr. Speer moved that the bill be recommitted to the committee on towns and counties. Motion lost.

Mr. Speer moved to take a recess until 2 p. m. Motion lost.

On motion of Mr. Biddle further consideration of H. B. No. 33 was postponed until 2:15 p. m. Monday.

On motion of Mr. Taylor the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Mr. Nichols.

H. B. No. 16 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Norton, Page, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Perkins, Potts, Speer.—3.

Absent—Moore, Nichols.—2.

Title agreed to.

H. B. No. 19 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Norton, Page, Perkins, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—Potts.—1.

Absent—Moore, Nichols.—2.

Title agreed to.

Substitute for H. B. No. 38 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Moore, Nichols.—2.

Title agreed to.

On motion of Mr. Baldwin substitute for H. B. No. 31 was recommended to the committee on judiciary, with instructions they report the same back on Monday morning.

H. B. No. 47 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells.—21.

Noes—Mr. Speaker.—1.

Absent—Moore, Nichols.—2.

Title agreed to.

H. B. No. 50 was read a third time.

Mr. Taylor moved that the bill be referred to the committee on ways and means, and they be instructed to insert the words "seventy-five cents" in lieu of the words "sixty cents."

Motion lost by the following vote :

Ayes—Baldwin, Eastman, Forbis, Hatch, Kohrs, Moore, Norton, Page, Speer, Taylor, Mr. Speaker.—11.

Noes—Biddle, Emigh, Fisk, Holt, Jurgens, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Wells.—12.

Absent—Nichols.—1.

H. B. No. 50 was passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Jurgens, Moore, Norton, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells.—18.

Noes—Hatch, Kohrs, Page, Speer, Mr. Speaker.—5.

Absent—Nichols.—1.

Title agreed to.

H. B. No. 23 was read a third time.

On motion of Mr. Tingle the house adjourned.

HARRY H. DAVIS, Chief Clerk

TWENTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 7th, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Nichols.

Prayer by the chaplain.

Journal of the twenty-sixth day read and approved.

The house had under consideration and discussion, the final passage of H. B. No. 23.

On motion of Mr. Forbis, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Nichols.

H. B. No. 23 was passed by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Norton, Page, Perkins, Robinson, Sloan, Tingle, Wells and Mr. Speaker—17.

Noes—Baldwin, Kohrs, Potts, Seligman, Speer and Taylor—6.

Absent—Nichols—1.

Title agreed to.

Report of the committee on printing, received.

On motion of Emigh, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES.
Helena, M. T., February 9th, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the twenty-seventh day read and approved.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 9th, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body, that notice of the introduction of bills was given as follows :

By Fergus—"A bill entitled an act relating to fees and salaries."

Bills were introduced as follows :

By Fergus—C. B. No. 41. "A bill for an act concerning conveyances of married women and corporations."

By Kennedy—C. B. No. 42. "An act to incorporate the city of Missoula."

That C. B. No. 35, has passed the council, and is herewith transmitted.

That C. B. No. 31, has been "lost" in the council.

DAVID MARKS, Chief Clerk.

Mr. Holt, presented a petition from Terry, Custer county, praying for the suppression of gambling.

Received and placed on file.

The following reports were received :

Mr. Speaker:

The committee on ways and means, to whom was referred. H. B. No. 49. "A bill for an act to amend section 89, article 2 fifth division revised statutes of territory of Montana, and for other purposes," having had the same under consideration, report the bill back and recommend its passage.

B. F. POTTS.
GEO. R. TINGLE.
CONRAD KOHRS.
HATCH.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on stock growing and grazing to whom was referred, H. B. No. 52, "An act to prevent persons' from hunting and shooting within the enclosures of others without leave, have had the same under consideration and respectfully report the same back to the house, recommending that it do pass.

CONRAD KOHRS, Chairman.

Report adopted, and the bill ordered engrossed.

Mr. Speaker:

Your committee on incorporations to whom was referred. H. B. No. 26, "An act regulating assessments, life insurance companies," have considered the same and recommend said bill be amended as follows to-wit :

First strike out the words "territory, county, city," in lines 3 and 4 of section 8, printed copy of bill and insert in lieu thereof the words "territorial."

Second, add to section 10, the following "and reasonable compensation for such expert while engaged in such examination."

Third, strike out from and including the word "except" to and including the word "now" in line 2, of section 15, printed bill and insert in lieu thereof the words "shall be," and as so amended your committee recommend that said bill do pass.

F. L. PERKINS, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on printing herewith report back to the house H. B. No. 43, regulating the furnishing of spirituous or malt liquors, and H. B. No. 41, an act concerning corporations, correctly printed.

H. B's Nos. 41 and 43 placed on general orders.

Respectfully,
FISK, Chairman.

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. J. R. No. 6, and find the same correctly enrolled, which H. J. R. No. 6 is herewith presented to the speaker of the house for his signature.

TINGLE, Chairman.

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B. No. 36 and find the same correctly enrolled, which H. B. No. 36 is herewith presented to the speaker of the house for his signature.

TINGLE, Chairman.

Mr. Speaker :

Your joint committee on enrollment beg leave to report that C. B. No. 18 was presented by said committee to the governor for his approval on the third day of February, 1885, at 2:30 p. m.

TINGLE.

Mr. Speaker announced that he was now about to sign H. J. R. No. 6 and H. B. No. 36.

The select committee to whom was referred H. J. R. No. 7, "For the relief of J. O'Neill, J. H. McFarland and G. Bashaw," made a detailed report which was read and ordered transmitted to the council.

H. J. R. No. 7 was placed on general orders.

Mr. Speaker:

Your special joint committee appointed to proceed to the penitentiary and asylum, and make an examination and investigation of the management of said institutions and report thereon, beg leave to submit the following report.

J. M. PAGE, Chairman.

Report received and placed on file for the information of the house.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I give notice that I will upon to-morrow or some subsequent day introduce a house joint resolution making appropriation for the law division of the Montana library.

HATCH.

Mr. Speaker :

I will on to-morrow or some subsequent day introduce a bill for an act to amend an act entitled an act to establish a series of text books for the public schools.

Approved February 23, 1881.

TINGLE.

Mr. Speaker:

I will on to-morrow or some subsequent day introduce a bill for an act to prevent and punish indecent exposure of the person.

TINGLE.

Mr. Speaker :

I will on to-morrow or some subsequent day introduce a bill for an act to establish a "hospital for the insane."

TINGLE.

Mr. Seligman moved that H. J. R. No. 7 be taken from general orders, the rules suspended, the bill considered engrossed, and passed to a third reading.

Motion carried by the following vote :

Ayes—Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Moore,

Nichols, Page, Perkins, Potts, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—17.

Noes—Baldwin, Fisk, Jurgens, Norton, Robinson, Speer.—6.

Absent—Kohrs.

Bills were introduced as follows :

By Potts—H. B. No. 54, "A bill for an act to amend section 229, article II of chapter XIII of revised statutes."

Read first and second times and referred to the committee on judiciary.

By Potts—H. B. No. 55, "An act for the relief of Ansalem J. Davidson and Wm. N. Baldwin."

Read first and second times and referred to the committee on ways and means.

H. B. No. 49 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Hatch, Kohrs.—2.

Title agreed to.

H. J. R. No. 7 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—Speer.—1.

Absent—Kohrs.—1.

Title agreed to.

C. B. No. 25 was read first and second times and referred to the committee on judiciary.

C. B. No. 30 was read first and second times and referred to the committee on judiciary.

C. B. No. 35 was read first and second times and referred to the committee on agriculture and manufactures.

The following report was received.

Mr. Speaker:

Your committee on printing herewith respectfully report back to the house, correctly printed, H. B. No. 45, Regarding contagious and infectious diseases among domestic animals and Texas cattle.

FISK, Chairman.

H. B. No. 45 was referred to the committee on grazing and stock growing.

H. B. No. 41 was taken from general orders and referred to the committee on incorporations.

Mr. Forbis presented the petition of citizens of Missoula county, praying that if they be cut off and formed into a new county, that Thompson Falls be not named as the county seat, but that the selection be left to a vote of the people.

Referred to the committee on towns and counties.

On motion of Mr. Sloan the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following communication was received.

COUNCIL CHAMBER,
Helena Montana, February 9, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notices were given as follows:

By Buck—"A bill for an act to amend chapter V of the fourth division, criminal laws of the revised statutes."

By DeWolfe—"A bill entitled a bill for an act authorizing county commissioners to award contracts for keeping roads in repair."

Substitute for C. B's Nos. 21 and 5, C. B's Nos. 34, 36 and 39, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

Leave of absence granted Mr. Kohrs for the day.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Jurgens in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Jurgens was granted time in which to make a report of the committee of the whole.

H. B. No. 33 was passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Potts, Robinson, Seligman.—3.

Absent—Forbis, Kohrs.—2.

Title agreed to.

On motion of Mr. Seligman the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTIETH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 10, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Fisk.

Prayer by the chaplain.

Journal of the twenty-ninth day read and approved.

The following petitions were received.

Mr. Speaker:

I herewith present a petition with 833 signers praying for the division of Gallatin county.

SLOAN.

Mr. Speaker:

I herewith present petitions with 41 signers, praying against all legislation to annex any part of Gallatin county to Yellowstone county.

SLOAN.

Referred to the committee on towns and counties.

Mr. Norton presented a petition from Melville and upper Sweet Grass, praying that a portion of Gallatin county be annexed to Yellowstone county.

Referred to the committee on towns and counties.

The following reports were received:

Mr. Speaker:

The judiciary committee to whom H. B. No. 54 was referred beg leave to report said bill back with the recommendation that the word "instrument" in line nine of the second page of said bill be stricken out, and that in lieu thereof the words "deed, mortgage, or other conveyance," be inserted, and with such amendment your committee recommend that said bill do pass.

W. O. SPEER, Chairman.

Report adopted, and the bill as amended was placed on general orders.

Mr. Speaker:

The judiciary committee to whom C. B. No. 25 was referred, beg leave to report said bill back with the recommendation that said bill do pass.

W. O. SPEER, Chairman.

Report adopted, and H. B. No. 25 was placed on general orders.

Mr. Speaker:

The judiciary committee to whom substitute for H. B. No. 31 was referred for amendment, recommend that the word "six" be substituted for the word "twelve" where it appears in said act, and when so amended your committee recommend that said substitute do pass.

W. O. SPEER, Chairman.

Report adopted, and the bill passed to a third reading.

Mr. Speaker:

The judiciary committee to whom council bill No. 30 was referred, beg leave to report said bill back, and recommend that the same do pass.

W. O. SPEER.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on grazing and stock growing, having had H. B. No. 45 under consideration, respectfully report they have carefully examined the bill, and recommend the same do pass.

CONRAD KOHRS, Chairman.

Report adopted, and the bill placed on general orders.

Mr. Speaker:

Your committee of the whole house to whom was referred H. B. No. 26, A bill for an act regulating assessment life insurance companies—consideration of the same was postponed on account of one of the members of the house, Mr. Forbis, being absent.

Also your committee of the whole had under consideration H. B. No. 43, An act regulating the sale or furnishing of spirituous or malt liquors, beg leave to report that they have considered the same and directed me to report the bill back to the house with the accompanying amendments, and recommend that said bill be committed to the committee on education and labor, with instructions to prepare and perfect this bill and report to the house at an early day.

JURGENS.

Report adopted.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that they have examined C. B. No. 8 and C. B. No. 19 and find the same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE, Chairman,

H. B. No. 7 was taken from the table and placed on general orders.

Bills were introduced as follows:

By Hatch—H. J. R. No. 9, "Making appropriation to the law library."

Read first and second times and referred to the committee on territorial affairs.

By Holt—H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county to fund the county indebtedness."

Read first and second times and referred to the committee on town and counties.

Also, H. B. No. 57, "A bill for the better protection of the live stock interests in the territory."

Read first and second times and ordered printed.

By Tingle—H. B. No. 58, "A bill for an act to amend an act entitled an act to establish a series of text books for the public schools, approved February 23, 1881."

Read first and second times and ordered printed.

By Robinson—H. B. No. 59, "A bill for an act to enable Gallatin county, Montana territory, to issue bonds in aid of the Bozeman and West Galla in Canal and Water Ditch Company."

Read first and second times and laid upon the table.

C. B. No. 34, "An act to amend section 155, of chapter 2, of the first division of the revised statutes," was read first and second times and referred to the committee on judiciary.

C. B. No. 36, "An act to amend the second subdivision of section 211, of chapter 19, of the third division of the revised statutes."

Read first and second times and referred to the committee on judiciary.

C. B. No. 39, "An act to amend section 253 of the code of civil procedure."

Read first and second times and referred to the committee on judiciary.

Substitute for C. B's Nos. 21 and 5, "An act to provide for assignments for the benefit of creditors."

Read first and second times and referred to the committee on judiciary.

On motion of Mr. Speer the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 11, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the thirtieth day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, M. T., Feb. 10th, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body

That notices were given as follows:

By Mitchell—"An act to prevent women beating in the territory of Montana."

By DeWolf—"A bill for an act to create a school text book commission."

Bills were introduced as follows:

By Fergus—C. B. No. 43. "Relating to fees and salaries."

By Buck—C. B. No. 44. "An act to amend chapter V, of the fourth division, criminal laws of the revised statutes."

By DeWolf—C. B. No. 45. "A bill for an act authorizing county commissioners to award contracts for keeping roads in repair."

The following resolution presented by Morris, was adopted by the council:

"Resolved, by the council, the house concurring, that a joint committee of three members of the council to act with a like committee of the house, be appointed to examine the books and accounts of the territorial auditor and treasurer. Said committee be empowered to employ an expert, if in their judgment it should be necessary."

The president has signed H. B. No. 36 and H. J. R. No. 6.

H. B. No. 19, substitute for H. B. No. 24, as amended, C. B. No. 33, C. B. No. 42 and C. J. R. No. 2 have passed the council and are herewith transmitted.

Council J. R. No. 3, was read a third time and lost.

DAVID MARKS, Chief Clerk.

H. B. No. 19 was ordered enrolled.

Substitute for H. B. No. 31, was read a third time and passed by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells and Mr. Speaker.—23.

Noes—none.

Absent—Baldwin—I.

Title agreed to.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Norton in the chair.

House resumed. Mr. Speaker in the chair.

Mr. Norton was granted time in which to make a report of the committee of the whole.

On motion of Mr. Seligman, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called— quorum present.

On motion of Mr. Potts, the rules were suspended and the house recurred to the regular order of business.

Mr. Holt presented a petition from residents of Terry, Custer county, praying that physiology and hygiene be taught in the public schools.

Placed on file for the information of the house.

The following reports were received :

Mr. Speaker:

The judiciary committee to whom H. B. No. 46 was referred, beg leave to report said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on the judiciary to whom was referred substitute for H. B. No. 8, with instructions to amend the same, herewith report the same back with the accompanying amendments and recommend the adoption of such amendments and the passage of such bill as amended.

W. O. SPEER, Chairman.

On motion of Forbis, the amendments recommended by the committee on judiciary, were adopted. Bill ordered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on towns and counties to whom was referred, house bill No. 56, entitled, "A bill for an act to enable the county commissioners of Custer county to fund the county indebtedness," have had the same under consideration and find in it merits of a high order for the purposes intended, and beg leave to report the same back with the recommendation that it do pass.

NORTON, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on agriculture and manufactures, to whom was referred C. B. No. 35, An act concerning bounty for killing certain animals, have had the same under consideration, report it back to the house with the recommendation that the words "mole," "gopher" and "prairie dog" be stricken from the bill wherever they occur, and that the bill should only apply to such counties as the respective representatives may designate.

Respectfully,

FIK, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 52, "A bill for an act to prevent persons from hunting or shooting within the enclosures of others without leave," beg leave to report that they have examined the same, and find it correctly engrossed.

NICHOLS, Chairman.

H. B. No. 32, was passed to a third reading.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a bill for an act concerning Dower.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a bill to authorize the levy of an additional mill for territorial purposes.

A. J. SELIGMAN.

Mr. Speaker:

I will on to-morrow or some future day introduce a bill to incorporate Miles City.

HOLT.

Mr. Speaker:

To-morrow or some future day, I will introduce a bill for an act to amend section 806, general laws, relating to licenses.

CONRAD KOHRS.

Mr. Speaker:

To-morrow or some future day, I will introduce a bill for an act to provide for the payment of damages for stock, and from fires occasioned by operating railroads.

CONRAD KOHRS.

Mr. Speaker:

I will on to-morrow or some subsequent day, introduce a bill for an act to provide for the support and maintenance of the Philipsburg fire department.

PERKINS.

Mr. Speaker:

I hereby give notice that I will on to-morrow or some future day introduce a bill for an act concerning official duties.

JURGENS.

Mr. Speaker:

I give notice that to-morrow or some future day, I will introduce house joint resolution in reference to official maps of Montana territory.

PAGE.

Bills were introduced as follows:

By Sloan—H. B. No. 60, "An act to create the county of Bridger, and for the election of officers thereof."

Read first and second times and referred to the committee on towns and counties.

By Taylor—H. B. No. 61, "A bill for an act to create the county of Dearborn."

Read first and second times and referred to the committee on town and counties.

By Fisk—H. B. No. 62, "A bill for the protection of dairymen, and to prevent deception in the sales of butter and cheese."

Read first and second times and ordered printed.

By Potts—H. B. No. 63, "A bill for an act to amend section 586, article 2, chapter 22 of the fifth division, revised statutes of the territory of Montana."

Read first and second times and referred to the committee on ways and means.

By Tingle—H. B. No. 64, "A bill for an act to prevent and punish indecent exposure of the person."

Read first and second times and referred to the committee on judiciary.

By Wells—H. B. No. 65, "A bill for an act entitled an act relating to marriage."

Read first and second times and referred to the committee on judiciary.

The speaker announced that he was now about to sign C. Bs. Nos. 8 and 19.

C. B. No. 33, "An act to amend section 1219, of chapter 67 of the fifth division of the revised statutes, read first and second times and referred to the committee on incorporations.

H. B. No. 52, was read a third time and passed by the following vote:

Ayes—Baldwin, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sioan, Taylor, Tingle and Mr. Speaker.—20.

Noes—Biddle, Jurgens, Wells.—3.

Absent—Speer—1.

Title agreed to.

On motion of Mr. Potts, H. B. No. 3, was taken from the table.

The following report was received :

Mr. Speaker:

The minority of the committee on the judiciary to whom was referred H. B. No. 3. A bill for an act to punish and suppress prize fighting in Montana, having had the same under consideration recommend that the bill do pass.

B. F. POTTS.
FORBIS.

Report received, and bill placed on general orders.

On motion of Mr. Baldwin, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 12, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the thirty-first day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 11, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that substitute for C. B. 27 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The following petitions were received:

Mr. Speaker:

I herewith present petitions from 289 persons residing within the proposed new county of Bridger, remonstrating against any segregation from Gallatin county.

NICHOLS.

Referred to the committee on towns and counties.

Mr. Speaker:

I herewith present petitions from over 500 citizens of Lewis and Clarke and Choteau counties praying for the creation of Dearborn county.

TAYLOR.

Referred to the committee on towns and counties.

The following report was received:

Mr. Speaker:

The committee on ways and means to whom was referred H. B. No. 63, "A bill for an act to amend section 586, article 2, chapter 22, of the fifth division, revised statutes of the territory of Montana," having had the same under consideration report the bill back and recommend its passage.

POTTS, Chairman.

Report adopted, and the bill placed on general orders.

The following notice was received:

Mr. Speaker:

I will to-morrow or some future day of the session introduce a bill for an act to prohibit the retailing of intoxicating liquors on Sunday.

PAGE.

Mr. Forbis moved that the house now consider council joint resolution regarding adjournment. Motion lost.

Mr. Potts moved that the council be requested to furnish a copy of the two resolutions mentioned in their communications. Motion carried.

The following bills were introduced.

By Jurgens—H. B. No. 66, "A bill for an act concerning official duties."

Read first and second times and referred to the committee on territorial affairs.

By Seligman—H. B. No. 67, "An act to authorize the levy of an additional mill for territorial purposes."

Read first and second times and referred to the committee on ways and means.

By Perkins—H. B. No. 68, "An act to provide for the support and maintenance of the Philipsburg fire department."

Read first and second times and referred to a select committee consisting of the members from Deer Lodge county.

C. J. R. No. 2, "To pay for marks and brands," was read first and second times and referred to the committee on grazing and stock growing.

C. B. No. 42, "An act to incorporate the city of Missoula," under a suspension of the rules was read first and second times by title and referred to the committee on incorporations.

Substitute for C. B. No. 27, "An act to create the county of Fergus and for the election of officers therein," was read first and second times and referred to the committee on towns and counties.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 11, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that bills were introduced as follows:

By DeWolfe—C. B. No. 46, "A bill for an act to create a school text book commission." Also,

C. B. No. 47, "An act to provide for recording the written opinions of the supreme court and for enforcing its judgments."

By Armstrong—C. B. No. 48, "An act for the relief of Josephus P. Martin." Also,

C. B. No. 49, "An act to amend sections 374, 378 and 399 of the criminal practice act."

H. B. No. 29 as amended, and H. B. No. 32 have passed the council and are herewith transmitted.

I herewith return to you, by direction of the council, H. B. No. 31 for proper engrossment.

DAVID MARKS, Chief Clerk.

H. B. No. 32 ordered enrolled.

The house concurred in the council amendments to H. B. No. 29 and substitute for H. B. No. 24, and the bills as amended ordered enrolled.

The following reports were received:

Mr. Speaker:

Your committee on printing report back to the house, correctly printed H. B. 53, concerning the organization and incorporation of annuity safe deposit and trust companies.

Respectfully,

FISK, Chairman.

Report received, and the bill referred to the committee on incorporations.

Mr. Speaker:

Your committee of the whole house to whom was referred H. B. No. 26, "A bill for an act regulating assessment life insurance companies," have had the same under consideration and have directed me to report the same back to the house with the accompanying amendments, and recommend that the bill as so amended do pass.

NORTON, Chairman.

Report adopted, and the bill ordered engrossed as amended.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H. B. No. 36 and H. J. R. No. 6 were presented by said committee to the governor for his approval on February 11, 1885, at 4 o'clock p. m.

TINGLE,

Chairman of House Committee.

On motion of Mr. Speer the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 13, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the thirty-second day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notice was given—

By Greene—"A bill for an act to enable the county of Yellowstone to build a court house."

The president announced the signing of C. B's 8 and 19.

H. B. 49 and C. B. 44 have passed the council and are herewith transmitted.

H. J. R. No. 7 was read a third time and lost and is herewith transmitted.

DAVID MARKS.
Chief Clerk.

Leave of absence granted Mr. Page until Wednesday morning February 18.

The house resolved itself into a committee of the whole for the consideration of general orders.

Biddle in the chair.

House resumed. Mr. Speaker in the chair.

Biddle reported that the committee of the whole had under consideration certain bills, also H. B. No. 7, on which they had made progress, and asked leave to resume further consideration of the same.

On motion of Mr. Tingle the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following report was received :

Mr. Speaker :

Your committee on printing herewith report back to the house correctly printed H. B's Nos. 58, 59, 57 and 62.

Respectfully,

FISK, Chairman.

H. B. No. 62 was referred to the committee on agriculture and manufactures.

H. B. No. 58 was referred to the committee on education and labor.

H. B. No. 57 was placed on general orders.

H. B. No. 59 was taken from the table and referred to the committee on judiciary.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Biddle in the chair.

House resumed. Mr. Speaker in the chair.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 13, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body that notices of the introduction of bills were given as follows :

By Chessman—"A bill to apportion the members of the legislative assembly."

By DeWolfe—"An act in relation to the presentation of and auditing accounts by the board of county commissioners"—"that" H. B. No. 50 has passed as amended and is herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Mr. Potts the house concurred in the council amendments to H. B. No. 50.

The following reports were received :

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 19, 29, 32, and substitute for H. B. No. 24, and find the same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker :

Your joint committee on enrollment beg leave to report that C. B's Nos. 8 and 19 were presented by said committee to the governor for his approval February 13th at 11:20 a. m.

TINGLE, Chairman House Com.

The house again resolved itself into a committee of the whole for the further consideration of general orders.

Mr. Biddle in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Biddle was granted time in which to make a report of the committee of the whole.

On motion of Mr. Forbis the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 14, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Page.

Absent—Wells,—2.

Prayer by the chaplain.

Journal of the thirty-third day read and approved.

The following communication was received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 13, 1885.

To the House of Representatives :

I have the honor to inform the house of representatives that I have this day signed H. J. R. No. 6, "To compensate Chas. H. Snell for certain services rendered."

Also, H. B. No. 36, entitled "A bill for an act to authorize the school trustees of district No. 1, Deer Lodge county, to issue bonds for certain purposes.

Very respectfully,

B. P. CARPENTER.

Mr. Speaker announced that he was now about to sign H. B's Nos. 19 and 29, and substitutes for H. B's Nos. 24 and 32.

Mr. Jurgens presented a petition from 59 residents and tax payers of Lewis and Clarke county, praying against the proposed annexation of a portion of their county to the proposed county of Dearborn.

Referred to the committee on towns and counties.

The following reports were received :

Mr. Speaker :

The judiciary committee to whom was referred H. B. No. 51 having had the same under consideration beg leave to recommend that it be indefinitely postponed.

W. O. SPEER, Chairman.

Report adopted.

Mr. Speaker :

Your committee on judiciary to which was referred H. B. No. 1,

begs leave to submit the accompanying substitute and recommends its adoption and passage.

W. O. SPEER, Chairman.

Report adopted, and substitute for H. B. No. 1 was placed on general orders.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 64, having had the same under consideration beg leave to offer the accompanying amendments, and to recommend that when so amended the bill do pass.

W. O. SPEER, Chairman.

Report adopted, and bill with amendments placed on general orders.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 39, having had the same under consideration, report the same back with the recommendation that it be indefinitely postponed.

W. O. SPEER, Chairman.

Report adopted.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 13, having had the same under consideration, beg leave to recommend the accompanying amendments, and that when so amended the bill do pass.

W. O. SPEER, Chairman.

Report adopted, and bill as amended placed on general orders.

Mr. Speaker:

The judiciary committee to whom was referred, C. B. No. 34, having had the same under consideration, beg leave to offer the accompanying amendment, and to recommend that when so amended the bill do pass.

W. O. SPEER, Chairman.

Report adopted, and the bill as amended placed on general orders.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 15, having had the same under consideration, beg leave to offer the accompanying amendments, and to recommend that when so amended the bill do pass.

W. O. SPEER, Chairman.

Report adopted, and the bill as amended placed on general orders.

Mr. Speaker:

The committee on education and labor to whom was referred H. B. No. 14, relating to the study of physiology and hygiene in the public schools, return herewith a substitute therefor with the recommendation that the same do pass.

WELLS, Chairman.

Report adopted, and substitute for H. B. No. 14 was placed on general orders.

Mr. Speaker:

Your committee on education and labor, having had under consideration H. B. No. 43, regulating the furnishing and sale of spirituous or malt liquors, and finding the same already amply provided for in section 205, page 398, of the fifth division of the revised statutes, report same back to the house with the recommendation that it do not pass.

WELLS, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

The committee on military affairs, to whom was referred H. B. No. 20, "A bill for an act to organize and regulate the militia, having had the same under consideration, report the bill back and recommend the adoption of the following amendments, and when the bill is so amended that it do pass:

In section 2, line 5, strike out the word "six" and insert the word "seven." In line 11 after the word "officer" insert the words "one surgeon general." In section 14, line 1, after the word "dollar" insert the words "and fifty cents," and after the word "dollar" at the end of said line insert the words "and fifty cents." In line 2 of said section strike out the word "two" and insert the word "three." In section 21 strike out all of said section after the word "Montana."

POTTS, Chairman.

Report received and the bill placed on general orders.

Mr. Speaker:

Your committee on grazing and stock growing having had under consideration C. J. R. No. 2 report same with the recommendation that it do pass.

CONRAD KOHRS, Chairman.

Report adopted, and C. J. R. No. 2 placed on general orders.

Mr. Speaker:

Your committee on incorporations to whom was referred C. B. No. 33 beg leave to return the same with the recommendation that the same do pass.

PERKINS, Chairman.

Bill placed on general orders.

Mr. Speaker:

Your committee on incorporations to whom was referred H. B. No. 53 beg leave to return the same with attached amendments and recommend that the same as amended do pass.

PERKINS.

BIDDLE.

SELIGMAN.

FORBIS.

Report adopted, and the bill with amendments placed on general orders.

Mr. Speaker:

Your select committee of members from Deer Lodge county, on H. B. No. 68, have examined the same carefully and recommend the same do pass.

CONRAD KOHRS, Chairman.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

The committee on judiciary to whom was referred C. B. No. 36, having had the same under consideration recommend that said bill be amended by striking out the number "19" in line 2 of the title, and insert in lieu thereof the figure "9;" also make the same change in line 2 of section 1 of said bill; also, add after the word "statutes" in line 3 of section 1, the words "of Montana." And with these amendments your committee recommend that the bill do pass.

W. O. SPEER, Chairman.

Report received and the bill placed on general orders.

Mr. Speaker:

Your committee of the whole house beg leave to report that they have had under consideration—

First. H. B. No. 54, and recommend that the same be referred to the committee on judiciary for their further consideration.

Second. C. B. No. 25, and report the same back with attached amendment, and recommend that the same do pass as amended as follows:

C. B. No. 25, amend section 2 by inserting after the word "treasurer," in line 10, the following, viz.: "of the county in which the mortgage is filed."

Third. C. B. No. 30, and recommend that the same do not pass.

Fourth. H. B. No. 45, and postponed the further consideration of the same until the next session of the committee.

Fifth. H. B. No. 7, and report the same with amendment, as follows: In section 1 strike out all beginning with word "commencing" in fifth line, down to and including word "course" in thirteenth line, and substitute in lieu thereof the following, viz.:

"Commencing at a point on the forty-fifth parallel where the one hundred and ninth meridian crosses the same, thence running due north ten miles, thence due west until said line intersects the summit of the main range of the Yellowstone mountains, thence following the said main divide in a westerly course,"

—and recommend that the same as amended be laid on the table.

Sixth, H. B. No. 46, and report the same with amendments as follows:

Insert after enacting clause, on margin "Section 1."

Insert before clause specifying time to take effect, on margin "Section 2," and recommend that the same as amended do pass.

Seventh. H. B. No. 56, and report amendments as follows, to-wit.:

Section 2, lines 9 and 33, strike out "ten" and substitute "six."

Section 4, line 16, strike out "one-half" and substitute "six years." In line 17 strike out "has" and substitute "have."

And the committee recommend that the same as amended do pass.

Eighth. C. B. No. 35, and the committee rose while the same was under consideration.

BIDDLE, Chairman.

Report adopted.

Mr. Speaker :

Your committee, on enrollment beg leave to report that they have examined H. B. 49 and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 19.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I will on to-morrow or some future day introduce a bill to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties.

CONRAD KOHRS.

Mr. Speaker :

I will on Monday or some future day introduce a bill for the suppression of dance houses, commonly known as hurdy houses.

ROBINSON.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill entitled an act concerning that portion of the Crow reserve adjacent to the county of Yellowstone.

NORTON.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill for an act to amend section 116, and to repeal section 300 of the first division of the revised statutes of Montana.

BALDWIN.

The following was presented.

Resolved, by the house of representatives, the council concurring, that the legislative assembly of Montana do not receive any bills after the twenty-first day of February, and that the legislative assembly adjourn on the twenty-eighth day of February 1885, without day.

TINGLE.

The resolution was laid upon the table.

Kohrs introduced H. B. No. 69, "A bill for an act concerning licenses."

Read first and second times and ordered printed.

On motion of Mr. Speer the house took a recess until 2 p. m.

Two p. m., house resumed.
Mr. Speaker in the chair.
Roll called—quorum present.
Absent on leave—Page.
Absent—Wells.

Kohrs introduced H. B. No. 70, "An act to provide for the payment of damages to stock and from fires occasioned by operating railroads."

Read first and second times and ordered printed.

Page introduced H. J. R. No. 10, "In reference to the maps of Montana territory."

Read first and second times and referred to the committee on public lands.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred substitute for H. B. No. 31, "A bill for an act to amend an act concerning fees of jurors in civil cases, approved February 21, 1881, beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred substitute for H. B. No. 8, "A bill for an act to define the duties of county commissioners and treasurers," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Report received and the bill passed to a third reading.

C. B. No. 44, "An act to amend chapter V of the fourth division, criminal laws of the revised statutes.

Read first and second times and referred to the committee on judiciary.

H. B. No. 68 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs Moore, Nichols, Norton, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Mr. Speaker.—20.

Noes—Speer.—1.

Absent—Page, Sloan, Wells.—3.

Title agreed to.

Communication from the council received.

Substitute for H. B. No. 8 was read a third time and passed by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Tingle, Mr. Speaker.—20.

Noes—Baldwin, Taylor,—2.

Absent—Page, Wells,—2.

Title agreed to.

On motion of Mr. Forbis the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 16th, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Page—Absent—Wells.

Journal of the thirty-fourth day read and approved.

The following communication received on Saturday, was read.

COUNCIL CHAMBER,
Helena Montana, February 14, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that notices of the introduction of bills were given as follows:

By Buck—A bill for an act to ratify and validate certain bonds issued by the county of Choteau to erect a court house and jail.

Also; A bill for an act to enable the county of Choteau to pay a balance due for the erection of a court house.

By DeWolfe—An act concerning the rights and liabilities of husband and wife.

By Fergus—"A bill entitled an act concerning penalties for crime."

Bills were introduced as follows :

By Buck—C. B. No. 50, "An act to amend an act to incorporate the city of Fort Benton."

By DeWolfe—C. B. No. 51, "An act in relation to the presentation and auditing of accounts by county commissioners."

By Mitchell—C. B. No. 52, "An act to prevent woman beating in the territory of Montana."

C. B. No. 6, has passed the council and is herewith transmitted.
DAVID MARKS, Chief Clerk.


The following report was received.

Mr. Speaker:

Your committee on agriculture and manufactures, to whom was referred, H. B. No. 62, "For the protection of dairymen and to prevent deception in the sales of butter and cheese, have carefully considered the same and herewith report it back to the house with the recommendation that it do pass.

FISK, Chairman.

Report adopted, and the bill placed on general orders.

 The following notice was received :

Mr. Speaker :

I will upon to-morrow or some subsequent day, present a bill for an act in relation to fencing railroads and erection of cattle guards.


PERKINS.

The following reports were received :

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B. No. 50, and find same correctly enrolled which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

 Mr. Speaker announced that he was about to sign H. B. No. 50.

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 26, "A bill for an act regulating assessment life insurance companies," beg leave to report that they have examined the same and find it correctly engrossed except lines 17 and 18, section I, where space is left to insert the words, "subject to the conditions

hereinafter provided," which in order to complete the sense," should be inserted in said lines, instead of at the end of the section and recommend that said insertion be made in presence of the house.

NICHOLS.

BIDDLE.

The insertion was made as recommended and the bill passed to a third reading.

Bills were introduced as follows:

By Kohrs—H. B. No. 71, "An act to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties."

Read first and second times and referred to a select committee consisting of the members from Silver Bow and Deer Lodge counties.

By Robinson—H. B. No. 72, "A bill for an act to suppress hurdy hourses and dances."

Read first and second times and referred to the committee on judiciary.

By Norton—H. B. No. 73, An act concerning that portion of the Crow Indian reservation adjacent to Yellowstone county.

Read first and second times and referred to the committee on federal relations.

By Baldwin—H. B. No. 74 "A bill for an act to amend section 116 and to repeal section 300 of the first division of the revised statutes of Montana."

Read first and second times and referred to the committee on judiciary.

C. B. No. 6, "An act to amend section 529 of the fifth division of the revised statutes of Montana," was read first and second times and referred to the committee on elections.

H. B. No. 26 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Kohrs, Moore, Nichols, Norton, Perkins, Potts, Robinson, Seligman, Sioan, Speer, Taylor and Tingle.—19.

Noes—Holt, Jurgens and Mr. Speaker.—3.

Absent—Page, Wells.—2.

Title agreed to.

The house resolved itself into a committee of the whole, for the consideration of general orders.

Mr. Speer in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Speer, chairman of the committee of the whole, reported the committee had under consideration H. B. No. 45, had made progress, and asked leave to sit again.

On motion of Mr. Fisk, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Page—Absent—Wells.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Speer in the chair.

House resumed.

Mr. Speaker in the chair.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 16, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body, that notices were given as follows :

By Chessman—A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881.

By Buck—An act to facilitate the service of process upon personal property and the transfer thereof in certain cases.

Also ; An act requiring sellers of live stock to give bill of sale.

Bills were introduced as follows :

By Fergus—C. B. No. 53, "An act concerning penalties for crime."

By Buck—C. B. No. 54, "An act to ratify and validate certain bonds issued by the county of Choteau, to erect a court house and jail.

That H. B. No. 16, as amended and C. Bs. Nos. 26 and 40 have passed the council and are herewith transmitted; as per request herewith find copies of council resolutions passed by the council.

DAVID MARKS, Chief Clerk.

Council resolution proposing a joint committee for the purpose of examining the books and accounts of the territorial auditor and treasurer, was adopted by the house.

Council resolution proposing that the present session of the legislative assembly do adjourn finally on the 21st of February 1885, was indefinitely postponed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Jurgens, Kohrs, Norton, Robinson, Seligman, Sloan, Speer, Taylor and Mr. Speaker—15.

Noes—Forbis, Holt, Moore, Nichols, Perkins, Potts, Tingle—7.

Absent—Page, Wells—2.

The house again resolved itself into a committee of the whole for the consideration of general orders.

Mr. Speer in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Speer, chairman of the committee of the whole, was granted time in which to make his report.

On motion of Mr. Biddle, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 17, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Page.

Prayer by the chaplain.

Journal of the thirty-sixth day read and approved.

The following reports were received:

Mr. Speaker:

Your committee of the whole house beg leave to report that they have had under consideration the following bills:

C. B. No. 35, and recommend that it be recommitted to the committee on agriculture and manufacture.

H. B's Nos. 45 and 57, and report the same back making them a special order for 2:15 p. m. on Wednesday, February 18.

H. B. No. 3, and report the same back with the accompanying amendments and recommend that when so amended the bill do pass.

W. O. SPEER, Chairman.

Report adopted.

Mr. Speaker:

Your committee on towns and counties to whom was referred substitute for C. B. No. 27, "An act to create the county of Fergus and for the election of officers thereof," have had the same under consideration and beg leave to report the same back to the house with the accompanying amendments, and recommend its passage as amended.

NORTON, Chairman.

Mr. Speaker:

Your committee on towns and counties to whom was referred H. B. No. 34, "A bill for an act to create the county of Valley," have had the same under consideration and beg leave to report the same back to the house without recommendation.

NORTON, Chairman.

Report received and the bills placed on general orders.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that I will on to-morrow or on some subsequent day of the session introduce a bill to amend section 1 of an act approved February 21, 1881, relating to the protection of fish in the streams of Montana.

WELLS.

Mr. Speaker:

I give notice that I will on to-morrow or some subsequent day of the session introduce a bill for an act to amend section 595, article 10, fifth division of the revised statutes of the territory of Montana.

POTTS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day of the session introduce a bill for an act to provide for the organization of the legislative assembly.

POTTS.

Bills were introduced as follows:

By Perkins—H. B. No. 75, "A bill for an act in relation to fencing railroads and erection of cattle guards.

Read first and second times and ordered printed.

By Tingle—H. B. No. 76, "A bill for an act to establish a hospital for the insane."

Read first and second times and ordered printed.

H. B. No. 3 as amended was ordered engrossed and passed to a third reading.

C. B. No. 40, "A bill for an act to amend section 428 of the first division of the revised statutes," was read first and second times and referred to the committee on judiciary.

C. B. No. 26. "An act to amend chapter IV of title VI, and chapter IV of title X of code of civil procedure," was read first and second times and referred to the committee on judiciary.

The following communication was received:

COUNCIL CHAMBER,
Helena, M. T., Feb. 17th, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body that notices of the introduction of bills were given as follows:

By Kennedy—"A bill providing for the erection of an insane asylum for the territory of Montana."

By Cotant—"A bill for an act to incorporate Miles City."

Also, "A bill for an act to prevent the branding of cattle during certain seasons of the year."

Bills were introduced as follows :

By DeWolfe—C. B. No. 55, "An act concerning the rights and liabilities of husband and wife."

By Buck—C. B. No. 56, "An act to enable the county of Chouteau to pay a balance due for the erection of a court house."

Chessman introduced C. J. R. No. 4 "For the relief of Fisk Bros."
DAVID MARKS, Chief Clerk.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Nichols in the chair.

House resumed.

Mr. Speaker in the chair.

Nichols, chairman of the committee of the whole, granted time in which to make his report.

On motion of Mr. Baldwin the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Page.

The following report was received :

Mr. Speaker:

Your committee of the whole who had before them for their consideration S. H. B. No. 1, H. B's Nos. 63, 13, 64, and C. B. No. 34, refer same back to house with recommendation that the same do pass.

Also, H. B. No. 14, as amended recommending that the same do pass. Amend by striking out the word "practical."

NICHOLS, Chairman.

Report adopted, and substitute for H. B. No. 1, H. B's Nos. 63, 13, 64, H. B. No. 14 as amended, and the amendments to C. B. No. 34, ordered engrossed and the bills passed to a third reading.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, was granted time in which to make his report.

The following report was received:

Mr. Speaker:

Your committee on printing herewith respectfully report H. B. No. 69 back to the house correctly printed

FISK, Chairman.

Report received, and the bill referred to the committee on ways and means.

On motion of Mr. Speer the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 18, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the thirty-seventh day read and approved.

H. B's Nos. 46, 56, and amendments to C. B. No. 25, were ordered engrosed.

C. B. No. 30 was passed to a third reading.

The following reports were received:

Mr. Speaker:

Your committee on printing herewith report back to the house, correctly printed, H. B. No. 70, "To provide for the payment of damages to stock and from fires occasioned by operating railroads," and H. B. No. 75, "In relation to fencing railroads, and erection of cattle guards."

Respectfully,

FISK, Chairman.

H. B. No. 70 was referred to the committee on grazing and stock growing.

H. B. No. 75 was referred to the committee on roads and highways.

Mr. Speaker:

The committee of the whole have had under consideration H. B. No. 43 and herewith report the same back with the recommendation that such bill be indefinitely postponed.

The committee have also had under consideration H. B. No. 20, and herewith report the same back with accompanying amendments and recommend as so amended said bill do pass.

FORBIS, Chairman.

Report on H. B. No. 43 was adopted and the bill indefinitely postponed.

Mr. Fisk moved that sections 18 and 20 of H. B. No. 20 be stricken out by the house.

Mr. Seligman offered as an amendment that the bill be laid on the table.

Lost by the following vote :

Ayes—Emigh, Holt, Jurgens, Moore, Nichols, Perkins, Potts, Robinson, Seligman, Sloan, Wells.—11.

Noes.—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Kohrs, Norton, Page, Tingle, Mr. Speaker.—11.

Absent—Speer, Taylor.—2.

Seligman moved a call of the house.

A call was had. Absent, Speer, Taylor.

Mr. Taylor having appeared in his seat a further call was dispensed with by the following vote :

Ayes—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Kohrs, Norton, Page, Perkins, Taylor, Tingle.—12.

Noes—Emigh, Holt, Jurgens, Moore, Nichols, Potts, Robinson, Seligman, Sloan, Wells, Mr. Speaker.—11.

Absent—Speer.—1.

The motion that sections 18 and 20 be stricken out by the house was carried.

Mr. Forbis offered the following amendment :

Amend by numbering all sections after section 11 to correspond with the number of the preceding section, that sections may be numbered consecutively.

Amendment adopted.

Report adopted and H. B. No. 20 as amended ordered engrossed.

The following reports were received :

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 3, "A bill for an act to punish and suppress prize fighting in the territory of Montana," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred substitute for H. B. No. 1, "An act relating to notaries public," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 64, "A bill for an act to prevent and punish indecent exposure of the person," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 34, "An act to amend section 155 of chapter 2 of the first division of the revised statutes," beg leave to report that they have examined the same and find the amendments correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred substitute for H. B. No. 14, "A bill for an act entitled an act relating to the study of physiology and hygiene in the public schools" beg leave to report that they have examined the same and find it correctly engrossed as amended.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 63, "A bill for an act to amend section 586, article 2, chapter 22, of fifth division, revised statutes of Montana," beg leave to report that they have examined the same and find it correctly engrossed except line 1, section 2, where the word "568" is omitted, and space left to insert in lieu thereof the word "586," which substitution is necessary to carry out the object of the bill. And your committee recommend that said word "586" be inserted in line 1, section 2, in presence of the house.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No.

13, "An act for the protection of household servants," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Reports adopted, and the bills passed to a third reading.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Moore in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Moore, chairman of the committee of the whole, reported progress and asked leave to sit again.

On motion of Mr. Emigh the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Hatch in the chair.

House resumed. Mr. Speaker in the chair.

Mr. Hatch, chairman of the committee of the whole, reported progress and asked leave to sit again.

On motion of Mr. Tingle the house took a recess until 7:30 this evening.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following reports were received:

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H.

B's Nos. 19, 24, 29, 32, 49, and 50, were presented by said committee to the governor for his approval on the 18th day of February, at 4 p. m.

TINGLE,

Chairman of House Committee.

Mr. Speaker:

Your committee on engrossment to which was referred H. B. No. 46, "A bill for an act to amend sections 87 and 92 of the first division, code of civil procedure of the revised statutes of Montana," beg leave to report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 25 beg leave to report that they have examined the same and find the house amendments thereto correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 56, "A bill for an act to enable the board of county commissioners of Custer county to fund the county indebtedness," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

H. B's Nos. 46, 56, and C. B. No. 25, were passed to a third reading.

Mr. Page presented a petition signed by 142 residents of Beaverhead county, asking for the enactment of some measure of relief for persons who are liable to prosecution under the present marriage laws.

Referred to the committee on judiciary.

The following reports were received:

Mr. Speaker:

Your joint committee on ways and means, to whom was referred H. B. No. 25, "A bill for an act limiting the compensation of certain officers therein named," having had the same under consideration report the same back without recommendation.

POTTS, Acting Chairman.

Report received and the bill placed on general orders.

Mr. Speaker:

The committee on ways and means to whom was referred H. B.

No. 69, "A bill for an act concerning licenses," having had the same under consideration report the bill back with the following amendments, and when so amended recommend that the bill do pass.

B. F. POTTS.
GEO. R. TINGLE.
GEO. M. HATCH.
CONRAD KOHRS.
JOHN T. BALDWIN.

Report received, and the bill with amendments placed on general orders.

Mr. Speaker:

Your select committee of members from Silver Bow and Deer Lodge counties on H. B. No. 71 have examined the same and recommend the same do pass.

C. KOHRS, Chairman.

Bill ordered engrossed.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a bill for an act entitled "An act to incorporate the city of Dillon.

WELLS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day of the session introduce a bill for an act to amend section 206 of the fourth division of the revised statutes of Montana.

PAGE.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill for an act concerning the jurisdiction of justices of the peace in criminal cases.

FISK.

Bills were introduced as follows :

By Potts—H. B. No. 77, "A bill for an act to provide for the organization of the legislative assembly."

Read first and second times and referred to the committee on territorial affairs.

By Wells—H. B. No. 78, "A bill for an act entitled an act relating to the registration and qualification of voters."

Read first and second times and ordered printed.

Speer moved to adjourn.

Lost by the following vote:

Ayes—Emigh, Kohrs, Speer, Wells.—4.

Noes—Baldwin, Biddle, Eastman, Fisk, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Mr. Speaker.—17.

Absent—Forbis, Hatch, Taylor.—3.

Seligman moved a call of the house.

A call was had. Absent—Forbis, Hatch, Taylor.

The sergeant-at-arms was instructed to bring in the absentees.

Hatch and Forbis appeared.

Forbis moved to adjourn. Motion lost by the following vote:

Ayes—Biddle, Eastman, Emigh, Forbis, Sloan, Wells.—6.

Noes—Baldwin, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Speer, Tingle, Mr. Speaker.—17.

Absent—Taylor,—1.

Further call of the house dispensed with,

H. B. No. 13, was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Taylor,—1.

Title agreed to.

Mr. Speer moved that the house adjourn. Motion lost.

H. B. No. 63, was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins,

Potts, Robinson, Seligman, Sloan, Speer, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Taylor.—1.

Title agreed to.

Substitute for H. B. No. 14 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Tingle, Wells, Mr. Speaker.—20.

Noes—Kohrs, Perkins, Speer.—3.

Absent—Taylor.—1.

Title agreed to.

H. B. No. 64 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Tingle, Wells, Mr. Speaker.—22.

Noes—Hatch.—1.

Absent—Taylor. 1.

Title agreed to.

Speer moved the house adjourn.

Motion lost.

Substitute for H. B. No. 1 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Wells, Mr. Speaker.—19.

Noes—Fisk, Jurgens, Speer, Tingle—4.

Absent—Taylor.—1.

Title agreed to.

H. B. No. 46 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs Moore, Nichols, Norton, Perkins, Potts, Seligman, Sloan, Speer, Tingle, Wells, Mr. Speaker—20.

Noes—Forbis, Page, Robinson.—3.

Absent—Taylor.—1.

Title agreed to.

H. B. No. 56 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Taylor.—1.

Title agreed to.

On motion of Speer the house adjourned.

HARRY H. DAVIS, Chief Clerk.

THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 19, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the thirty-eighth day read and approved.

The following communications were received:

COUNCIL CHAMBER,
Helena, Montana, February 18, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body.

That notices were given as follows:

By Green—An act to amend section 62, chapter 4 of the fourth division of the revised statutes.

By DeWolfe—"A bill to abolish the office of public administrator." also, "A bill to repeal an act entitled an act concerning road

supervisors, approved February 21st, 1881," also, "to repeal an act entitled an act concerning the official teams of road supervisors, approved February 22d, 1881," also, "to repeal sections 1071 and 1072 of the fifth division of the revised statutes and to amend section 1070," also, a bill providing for the appointment of road supervisors by the board of county commissioners of the respective counties and defining the duties of road supervisors," also, "A bill to repeal an act entitled an act to provide for municipal corporations in the territory of Montana, approved February 17, 1881."

Bills were introduced as follows :

By Armstrong—C. B. No. 57, An act to repeal an act entitled an act concerning fees of jurors in civil cases, approved February 21st, 1881.

By Green—C. B. 58, "A bill for and act to incorporate the city of Billings."

By Kennedy—C. B. No. 59, "An act to amend an act in relation to the fees of county clerks."

The president announced the signing of H. B's. Nos. 32, 19, 24, 29, 49 and 50.

H. B. No. 68, as amended, C. B's. 50 and 53 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,

Helena, Montana, February 18, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that C. B. No. 37, was read a third time and lost.

DAVID MARKS, Chief Clerk.

A. B. No. 16, with council amendments, read and referred to the committee on mines and minerals.

The following notice was received:

Mr. Speaker:

I will on to-morrow or some future day ask leave to introduce a bill for an act providing for the construction of the Montana penitentiary.

FORBIS.

Mr. Nichols presented two petitions, signed by 132 citizens, protesting against the formation of Bridger county.

Referred to the committee on towns and counties.

H. B. No. 3, was read a third time.

The question before the house was on the final passage of the bill.

Mr. Tingle moved the previous question, seconded and carried.

H. B. No. 3, was carried by the following vote:

Ayes— Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Taylor, Tingle, Wells and Mr. Speaker.—19.

Noes— Seligman, Sloan, Speer.—3.

Absent—Baldwin, Biddle.—2.

Title agreed to.

The chair appointed Messrs. Biddle, Seligman and Sloan, on the part of the house, to act in connection with the council committee, to examine the books and accounts of the territorial auditor and treasurer.

C. B. No. 30, was read a third time.

Holt moved a call of the house.

A call was had :absent Baldwin, Biddle.

The sergeant-at-arms was instructed to bring in the absentees. The absentees, Baldwin and Biddle appeared in their seats, and a further call was dispensed with.

On motion of Forbis, C. B. No. 30, was recommitted to the committee on judiciary.

The following report was received:

Mr. Speaker :

Your committee on printing herewith report back to the house correctly printed H. B. No. 76, regarding a hospital for the insane.

Respectfully,

FISK, Chairman.

H. B. No. 76, was referred to the committee on territorial affairs.

C. B. No. 34, as amended, was read a third time, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells and Mr. Speaker.—23.

Noes—Page.—1.

Title amended so as to read "A bill for an act to amend sections 155 and 739 of the first division of the revised statutes of Montana."

C. B. No. 25, as amended, was read a third time and pass by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells and Mr. Speaker.—24.

Noes—none.

Title agreed to.

Seligman moved that the house take a recess until 7:30 this evening.

Speer moved as an amendment, that the house do now adjourn.

Amendment carried by the following vote:

Ayes—Baldwin, Eastman, Emigh, Forbis, Hatch, Kohrs, Moore, Norton, Page, Perkins, Potts, Sloan, Speer and Wells.—14

Noes—Biddle, Fisk, Holt, Jurgens, Nichols, Robinson, Seligman, Taylor, Tingle and Mr. Speaker.—10.

HARRY H. DAVIS, Chief Clerk.

FORTIETH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 20, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the thirty-ninth day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 19, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that bills were introduced as follows:

By Green—C. B. No. 60, "An act to enable the county of Yellowstone to build a court house."

By Buck—C. B. No. 61, "A bill for an act requiring all persons selling or giving away certain live stock, to give a bill of sale."

By Cotant—C. B. No. 62. "A bill for an act to prevent the branding of cattle during certain seasons of the year."

By Green—C. B. No. 63, "An act to amend section 62 of chapter 4 of the fourth division of the revised statutes."

Green introduced C. J. M. No. 2, "To the president of the United States, concerning Cheyenne Indian reservation."

Substitute for H. B. No. 38 and council bills 48 and 54 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

Substitute for H. B. No. 38 was ordered enrolled.

The following reports were received:

Mr. Speaker:

The judiciary committee to whom was referred C. B. No. 40, beg leave to report said bill back with the recommendation that it do not pass.

W. O. SPEER, Chairman.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 35, beg leave to report said bill back with the recommendation that the same do not pass.

W. O. SPEER, Chairman.

Mr. Speaker:

Your committee on the judiciary to whom was referred H. B. No. 74, beg leave to refer said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Reports adopted, and the bills placed on general orders.

Mr. Speaker:

The judiciary committee to whom H. J. R. No. 8, was referred, beg leave to report the same back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

The rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on roads and highways to whom was referred, H. B. No. 75, have had the same under consideration and report

the same back to the house with the recommendation that the same be recommitted to the committee on judiciary.

JURGENS, Chairman.

Report adopted.

Mr. Speaker:

Your committee on public lands to whom was referred, house joint resolution No. 10, beg leave to report that we have had the same under consideration and would recommend that the same be amended as follows:

Add after "instruction," in line six of second subdivision, the words "and the U. S. Surveyor General for Montana," and as so amended, recommend that the resolution do pass.

PAGE, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on federal relations to whom was referred house bill No. 73, "An act concerning that portion of the Crow Indian reservation adjacent to Yellowstone county."

Report the same back with recommendation that the same do pass.

NICHOLS, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on towns and counties to whom was referred, house bill No. 60, entitled "An act to create the county of "Bridger," have had the same under consideration and beg leave to report the same back to the house with the accompanying amendment, and without recommendation.

NORTON, Chairman.

Report adopted and the bill placed on general orders.

Mr. Speaker:

Your committee on engrossment, to whom was referred C. B. 34, beg leave to report that they have examined the same, and find the amendment to title coreectly engrossed.

NICHOLS, Chairman.

Notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that on to-morrow or on some subsequent day, I will introduce a bill entitled, "An act to amend an act entitled an act to incorporate the town of Bozeman," approved March 7, 1883.

NICHOLS, Chairman.

Mr. Speaker:

I will on to-morrow or on some subsequent day, introduce a bill for an act to amend section 349 of the 5th division of the revised statutes of Montana.

PERKINS.

Bills were introduced as follows:

By Page—H. B. No. 79, "A bill for an act to amend section 206 of the fourth division of the revised statutes of Montana."

Read first and second times and referred to the committee on education and labor.

By Fisk—H. B. No. 80, "A bill for an act to amend an act concerning the jurisdiction of courts in criminal cases, approved February 16th, 1881."

Read first and second times and referred to the committee on judiciary.

C. B. No. 53, "A bill for an act concerning penalties for crime," read first and second times and referred to the committee on judiciary."

C. B. No. 48, "An act for the relief of Josephus P. Martin," read first and second times, referred to a special committee, consisting of the members from Gallatin county.

C. B. No. 54, "An act to ratify and validate certain bonds issued by the county of Choteau, to erect a court house and jail," read first and second times and referred to the committee on judiciary.

C. B. No. 50, "An act to amend an act entitled an act to incorporate the city of Fort Benton," read first and second times and referred to the committee on incorporations.

H. J. R. No. 8, was read a third time ; ordered engrossed.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Jurgens in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Jurgens, chairman of the committee of the whole, reported they had under consideration H. B. No. 69, had made progress and asked leave to sit again.

On motion of Mr. Seligman, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Potts in the chair.

Roll called—quorum present.

The house resolved itself into a committee of the whole, for the consideration of general orders.

Mr. Jurgens in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Jurgens, chairman of the committee of the whole, reported they had had under consideration H. B. No. 69, had made progress, and asked leave to sit again.

On motion of Mr. Fisk the house took a recess until 7:30 this evening.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Mr. Potts moved a call of the house. A call was had.

Absent—Forbis, Speer.

Mr. Speer appeared in his seat.

The sergeant-at-arms was instructed to bring in the absentee.

Further call of the house dispensed with.

The house resolved itself into a committee of the whole for the consideration of general orders.

Jurgens in the chair.

House resumed.

Mr. Speaker in the chair.

The house again resolved itself into a committee of the whole for the further consideration of general orders.

Jurgens in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Kohrs granted leave for to-morrow.

Jurgens, chairman of the committee of the whole, reported progress and asked leave to sit again.

On motion of Seligman the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-FIRST DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 21, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Potts in the chair.

Roll called—quorum present.

Absent on leave—Kohrs.

Prayer by the chaplain.

Journal of the fortieth day read and approved.

Leave of absence for the day was granted Messrs. Callaway and Robinson.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Jurgens in the chair.

House resumed.

Mr. Potts in the chair.

The following reports were received:

Mr. Speaker:

Your committee on printing herewith report back to the house correctly printed H. B. No. 78, relating to the registration and qualification of voters.

FISK, Chairman.

Bill referred to the committee on elections.

Mr. Speaker:

Your committee on engrossment to which was referred H. B. No. 20 "An act to organize and regulate the militia," beg leave to report that we have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. J. R. No. 8, "For placing insurance on the Montana law library," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 71, "A bill for an act to apply certain money to the payment of the bonds of Deer Lodge and Silver Bow counties," beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

H. B's Nos. 20 and 71, and H. J. R. No. 8 was passed to a third reading.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 20, 1885.

To the House of Representatives:

I herewith return to the house of representatives H. B. No. 49, entitled "An act to amend section 89, article 2, fifth division, revised statutes of the territory of Montana, and for other purposes."

My objection to this bill is that said section 89 is thereby formally amended, and at the same time repealed. The effect of the language of the bill is not to amend section 89 but to repeal it. If this bill should become a law the repeal declared by section 4 might be the cause of expensive litigation to determine whether sections 1 and 3 were operative.

Respectfully submitted,
B. P. CARPENTER, Governor.

On motion of Mr. Forbis the vote by which H. B. No. 49 was passed was reconsidered.

On motion of Mr. Baldwin the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Potts in the chair.

Roll called—quorum present.

Absent on leave—Kohrs, Robinson, Callaway.

Absent—Tingle

Mr. Seligman moved a call of the house. A call was had.

Absent—Forbis, Page, Sloan, Tingle.

Forbis and Page appeared in their seats; further call was dispensed with.

The question being put, "shall H. B. No 49 pass, the objections of the governor to the contrary notwithstanding," the bill was lost by the following vote;

Ayes—Fisk, Forbis, Norton, Page, Potts, Seligman, Wells.—7.

Noes—Baldwin, Biddle, Eastman, Emigh, Hatch, Holt, Jurgens, Moore, Nichols, Perkins, Sloan, Speer, Taylor.—13.

Absent—Kohrs, Robinson, Tingle, Mr. Speaker.—4.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 20, 1885.

To the House of Representatives:

I herewith return to the house of representatives H. B. No. 19, entitled "An act to amend an act entitled 'An act concerning fences,' approved February 23, 1881."

My objections thereto are as follows:

First. The bill does not appear to express the true intention of the legislative assembly.

Section 1 of said act of 1881 is amended by section 1 of this bill, and then the first mentioned section is in specific terms repealed by section 12 of this bill, which last mentioned section is made section 12 of said act of 1881.

Sections 11 and 13 of this bill are also made part of said act of 1881.

No time is mentioned for the proposed act to take effect, but, by the bill, the act of 1881 is to take effect and be in force from and after June 1, 1885.

Second. If this bill should become a law judicial interpretation would be required to determine

First, whether or not section 1 of the said act of 1881 as apparently amended had been repealed.

Second, whether or not the operation of said act of 1881 would be suspended until June 1, 1885.

Respectfully submitted,

B. P. CARPENTER.

Governor.

Seligman moved to adjourn:

Motion lost.

On motion of Mr. Baldwin further consideration of the communication from the governor was postponed until 10:30 a. m. Monday next.

The following communications were received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT.

Helena, February 20, 1885.

To the House of Representatives:

I herewith return to the house of representatives H. B. No. 32, entitled "An act to amend section 387 of the fifth division of the revised statutes, relative to the duties of county clerks."

My objection to this bill is that in terms it amends said section 387 and then repeals it. In effect it does not amend anything—it simply repeals. As a law it could be restrained from mischief only by an unwarrantable tax upon the ingenuity of the courts.

Respectfully submitted,

B. P. CARPENTER, Governor.

Consideration of the same postponed until 10:30 a. m. Monday next.

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,

Helena, February 20, 1885.

To the House of Representatives:

I have the honor to inform the house of representatives that I have this day signed H. B. No. 24, entitled "An act to amend section 420 of the fifth division of the revised statutes of Montana territory of 1879.

Very respectfully,

B. P. CARPENTER.

COUNCIL CHAMBER,

Helena, Montana, February 20, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that

Buck introduced C. B. No. 64, "A bill for an act to facilitate the service of process upon personal property and transfer thereof in certain cases."

The council has concurred in house amendments to C. B. No. 25.

C. B's Nos. 32, 49, 52 and 58, and H. B. No. 63 have passed the council and are herewith transmitted.

C. B. No. 47 and H. B. No. 8 have been lost; H. B. No. 8 is herewith transmitted.

DAVID MARKS, Chief Clerk.

The house concurred in the council amendments to H. B. No. 68 and the bill as amended ordered enrolled.

The following reports were received:

Mr. Speaker:

Your committee on the judiciary herewith report back C. B. No. 44 with accompanying amendments and recommend that such amendments be adopted and as so amended said bill do pass.

CLYDE EASTMAN.

B. F. POTTS.

FORBIS.

BALDWIN.

Forbis offered to amend by striking out sections 3 and 4.

Amendment adopted.

Bill with amendments placed on general orders.

Mr. Speaker:

Your committee on grazing and stock growing to whom was referred H. B. No. 70, "An act to provide for the payment of damages to stock, and from fires occasioned by operating railroads," having had the same under consideration respectfully report the same back with accompanying amendments and recommend as amended that it do pass. A majority of your committee so report.

CONRAD KOHRS, Chairman.

Bill and amendments laid upon the table.

Mr. Speaker:

Your committee on mines and minerals having had under consideration H. B. No. 16 report same back to the house, and recommend that the amendments suggested by the council be concurred in.

SELIGMAN, Chairman.

Report adopted, and the bill ordered enrolled.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill for an act providing fees for jurors in insane inquests.

I also give notice that I will on to-morrow or some future day introduce a bill for an act to amend section 961 of the revised statutes of Montana.

TAYLOR.

Mr. Speaker :

I hereby give notice that I will to-morrow or some subsequent day of the session introduce a bill for an act authorizing the deposit of public funds in banks.

POTTS.

Bills were introduced as follows :

By Seligman—H. B. No. 81, "A bill for an act concerning dower.

Read first and second times and referred to the committee on judiciary.

By Perkins—H. B. No. 82, "An act to amend section 349 of the fifth division of the revised statutes of Montana."

Read first and second times and placed on general orders.

On motion of Mr. Seligman the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 23, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Speer, Robinson.

Prayer by the chaplain.

Journal of the forty-second day read and approved.

Mr. Speer was granted indefinite leave.

Mr. Robinson was granted leave for the day.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 21, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that—

Mitchell gave notice of "A bill for an act to provide for the support and maintenance of a fire department in Anaconda."

Bills were introduced as follows :

By Chessman—C. B. No. 65, "An act to apportion the members of the legislative assembly."

By Mitchell—C. B. No. 66, "An act to provide for the incorporation of villages in the territory of Montana."

DAVID MARKS, Chief Clerk.

The following reports were received :

Mr. Speaker:

Your committee on ways and means to whom was referred a petition of 126 citizens of Helena, praying for the repeal of the commercial travelers' license; also, a petition from citizens of Miles City on the same subject; also, a petition from citizens of Helena against the repeal of the commercial travelers' license; also, a petition from the board of trade, of Helena, on the same subject; also, a petition from citizens of Butte in relation to license on butchers, having had the same under consideration ask to be discharged from the further consideration of the same.

POTTS, Chairman.

Report adopted, and the petitions laid upon the table.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 66, A bill for an act concerning official duties, having had the same under consideration report the same back, recommending that it do pass.

HATCH, Chairman.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 77, A bill for an act to provide for the organization of the legislative assembly, having considered the same respectfully report it back recommending that it do pass.

HATCH, Chairman.

Mr. Speaker :

Your committee on territorial affairs to whom was referred H. J. R. No. 9, Making appropriation for the territorial law library, have considered the same and report it back, recommending that it do pass.

HATCH, Chairman.

Reports adopted and the bills placed on general orders.

On motion of Mr. Potts the communications from Gov. Carpenter vetoing certain bills, together with the bills, were referred to the committee on judiciary, with the request that they report the same back at 10:30 a. m. to-morrow.

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B. No. 68 and find the same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker :

Your committee on incorporations, having had under consideration C. B. No. 42, An act to incorporate the city of Missoula, beg leave to report same back to the house with the recommendation that it do pass.

PERKINS, Chairman.

Report received, and the bill ordered returned to the council with the request that it be properly engrossed.

Mr. Speaker :

Your committee of the whole house to whom was referred H. B. No. 69, with amendments, beg leave to report that we have had the same under consideration, and I am instructed to report the same back to the house with accompanying amendments, and hereby recommend that the same be recommitted to the committee on ways and means for their consideration.

JURGENS, Chairman.

Report adopted.

Mr. Speaker :

The judiciary committee have considered H. B. No. 12 and herewith report the same back with the accompanying amendments, and recommend the adoption of such amendments and that as so amended said bill do pass.

B. F. POTTS,
CLYDE EASTMAN.
FORBIS.

The amendments reported by the committee, together with the bill, were placed on general orders.

Mr. Speaker:

Your committee on education and labor to whom was referred H. B. No. 79, "A bill for an act entitled an act to amend section 206 of the fourth division of the revised statutes of Montana," having had said bill under consideration herewith report the same, with the recommendation that it be indefinitely postponed.

WELLS, Chairman.

Report of the committee lost by the following vote :

Ayes—Baldwin, Biddle, Jurgens, Norton, Perkins, Seligman, Taylor,—7.

Noes—Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Page, Potts, Sloan, Tingle, Wells, Mr. Speaker—15.

Absent—Robinson, Speer,—2.

The bill was placed on general orders.

On motion of Forbis H. B. No. 63 was recalled from the enrollment committee and the rules were suspended, and the vote by which said bill was passed was reconsidered, and the council asked to reconsider the vote by which such bill passed that body in order that such bill might be amended to avoid the objections urged by the governor to certain sections therein.

Bills were introduced as follows :

By Taylor—H. B. No. 83, "A bill for an act providing fees for jurors in insane inquests."

Read first and second times and referred to the committee on judiciary.

Also H. B. No. 84, "A bill for an act to amend section 961 of the fifth division of the revised statutes of Montana."

Read first and second times and referred to the committee on towns and counties.

By Nichols—H. B. No. 85, "An act to amend an act entitled an act to incorporate the town of Bozeman, approved March 7, 1883."

The rules were suspended, the bill read first and second times by title and referred to a special committee consisting of the members from Gallatin county.

C. B. No. 32, "An act in relation to the taxation of telegraph and telephone lines," was read first and second times and referred to the committee on ways and means.

C. B. No. 49, "An act to amend sections 378 and 399 of the criminal practice act," was read first and second times and referred to the committee on judiciary.

C. B. No. 52, "An act to prevent woman beating in the territory of Montana," was read first and second times and referred to the committee on Indian affairs.

C. B. No. 58, "A bill for an act to incorporate the city of Billings" was, under a suspension of the rules, read first and second times by title and referred to the committee on towns and counties.

On motion of Norton the rules were suspended, H. B. No. 73 taken from general orders, the bill considered engrossed, and passed to a third reading.

H. J. R. No. 8 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Seligman, Sloan, Taylor, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Robinson, Speer, Tingle.—3.

Title agreed to.

H. B. No. 71 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Seligman, Sloan, Taylor, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Robinson, Speer, Tingle.—3.

Title agreed to.

Mr. Fisk moved that the house take a recess until 2 p. m.

Motion lost.

H. B. No. 20 was read a third time.

On motion of Mr. Baldwin the house took a recess until 2 p. m.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Robinson, Speer.

By unanimous consent Mr. Potts introduced H. B. No. 86 which was read first and second times by title, a third time at length, and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Potts, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Perkins, Robinson, Speer.—3.

Title agreed to.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 16, "An act concerning the representation of quartz lodes," and find the same correctly enrolled.

TINGLE, Chairman.

Mr. Speaker announced that he was now about to sign H. B's Nos. 68 and 16.

H. B. No. 20 was passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Potts, Sloan, Taylor, Mr. Speaker.—17.

Noes—Perkins, Seligman, Tingle, Wells.—4.

Absent—Nichols, Robinson, Speer,—3.

Title agreed to.

H. B. No. 73 was read a third time.

By unanimous consent the bill was amended and ordered engrossed as amended.

The house resolved itself into a committee of the whole for the further consideration of H. B. No. 45.

Mr. Hatch in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Hatch, chairman of the committee of the whole, reported progress and asked leave to sit again.

On motion of Mr. Biddle the house took a recess until 7:30 p. m. this evening, and that it resume the consideration of H. B. No. 45 as a special order,

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

Absent—Page.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Hatch in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Hatch, chairman of the committee of the whole, was granted time in which to report.

On motion of Mr. Baldwin the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 24, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

Prayer by the chaplain.

Journal of the forty-third day read and approved.

The following report was received.

Mr. Speaker:

Your committee of the whole house having had under consideration H. B. No. 45, return the same with accompanying amendments and respectfully recommend that as amended it do pass.

HATCH, Chairman.

Report adopted, and bill ordered engrossed as amended.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 23, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body, that bills were introduced as follows :

By DeWolf—C. B. No. 67, "An act in relation to road taxes and to repeal sections 1070 to 1076 inclusive and 1078 of the fifth division of the revised statutes."

Also, C. B. No. 68, "An act to repeal an act providing for the election of public administrator."

Also, C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties."

Council bill Nos. 51, 55, 56 and 63 have passed the council and are herewith transmitted.

H. B's. Nos. 33 and 46 have been lost in the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Hatch in the chair.

House resumed.

Mr. Speaker in the chair.

The committee on judiciary was granted further time to make their report regarding the veto message of the governor.

The house again resolved itself into a committee of the whole for the further consideration of general orders.

Mr. Hatch in the chair.

House resumed. Mr. Speaker in the chair.

Mr. Hatch, chairman of the committee of the whole, reported having had under consideration H. B. No. 53, had made progress and asked leave to sit again ; also, that H. B. No. 15, be made a special order for 2:15 p. m. to-morrow.

On motion of Mr. Potts, the house took a recess until 7:30 p. m.

7:30 p. m., House resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following reports were received:

Mr. Speaker:

Your committee of the whole house, having considered C. B. No. 33, herewith transmit the same and recommend that it do pass.

HATCH, Chairman.

Report adopted, the rules were suspended, the bill reconsidered engrossed and pass to a third reading.

Mr. Speaker:

Your committee of the whole house while considering H. B. No. 15, the hour arriving for the consideration of a special order, H. B. No. 15, was temporarily layed upon the table and your chairman instructed to ask the house to make it the special order for 2:15 p. m., Wednesday the 25th, inst.

HATCH, Chairman.

Report adopted.

Mr. Speaker:

Your committee of the whole house, having had under consideration H. B. No. 57 and substitute, herewith transmitted, adopted the substitute in leau of the original and return the same to the house, recommending that it be referred to the committee on printing to be printed, and placed on general orders, to be considered for amendments at some future meeting of your committee.

HATCH, Chairman.

Report adopted and substitute placed on general orders.

Mr. Speaker:

Your committee of the whole house, having had under consideration C. J. R. No. 2, herewith transmit the same with amendments, and recommend that it do pass as amended.

HATCH, Chairman.

Report adopted, the amendments ordered engrossed.

Mr. Speaker:

Your committee arose while considering H. B. No. 53, directing your chairman to ask permission to sit again for the further consideration of this bill.

HATCH, Chairman.

Mr. Speaker:

Your committee on incorporations to whom was referred, C B. No. 50, herewith return the same with the recommendation that it be returned to the house in which it originated, for proper engrossment.

PERKINS.
BIDDLE.
FORBIS.
SELIGMAN.
EMIGH.

Report adopted

Mr. Speaker:

Your committee on printing herewith report back to the house, correctly printed substitute for H. B. 57, for the better protection of the live stock interests of Montana.

Respectfully,

FISK, Chairman.

On motion of Mr. Baldwin, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., February 25, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the forty-fourth day read and approved.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to which was referred H. B. No. 45 beg leave to report that we have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 73 report the same back correctly engrossed as amended.

NICHOLS, Chairman.

Bills passed to a third reading.

The following communication was received:

COUNCIL CHAMBER,
Helena Montana, February 24, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that the council has passed H. B's Nos. 52 and 86 and they are herewith transmitted.

The council has reconsidered the vote by which H. B. No. 63 passed the council, and, as per request, the same is returned to the house.

The president announced the signing of H. B's Nos. 16 and 68.

DAVID MARKS.
Chief Clerk.

On motion of Mr. Forbis H. B. No. 63 was amended by striking out sections 2 and 3.

Bill as amended ordered engrossed.

H. B's Nos. 52 and 86 ordered enrolled.

The following reports were received:

Mr. Speaker:

The judiciary committee to whom was referred C. B. No. 54, beg leave to report said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Report adopted, and the bill passed to a third reading.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 83 beg leave to report said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Report adopted, and bill ordered engrossed.

Mr. Speaker:

Your committee on judiciary have considered C. B. No. 53, and herewith report the same back with the accompanying amendment, and recommend that as so amended said bill do pass.

W. O. SPEER, Chairman.

Report adopted and bill as amended ordered engrossed.

Mr. Speaker:

The judiciary committee to whom H. B. No. 72 was referred

beg leave to report said bill back with the recommendation that the same be indefinitely postponed.

W. O. SPEER, Chairman.

Bill recommitted to the committee on Indian affairs.

Mr. Speaker :

The judiciary committee to whom was referred H. B. No. 59 beg leave to report said bill back with the recommendation that the same be indefinitely postponed.

W. O. SPEER, Chairman.

Report adopted.

Mr. Speaker :

Your committee on territorial affairs to whom was referred H. B. No. 76, A bill for an act to establish a hospital for the insane, having examined the same respectfully report it back and recommend that it do pass. Majority report.

HATCH, Chairman.

J. M. HOLT.

JOHN M. ROBINSON.

F. L. PERKINS.

Report adopted and bill placed on general orders.

Mr. Speaker :

The minority of the committee on grazing and stock growing beg leave to submit the following report on H. B. No. 70.

TINGLE.

H. B. No. 70 was taken from the table and with majority and minority reports was placed on general orders.

Mr. Speaker :

Your committee on education and labor having duly considered numerous petitions relating to the study of physiology and hygiene in the public schools, and certain other petitions praying for the enactment of a law for the suppression of gambling, herewith submit said petitions and ask to be excused from further consideration of the same.

WELLS, Chairman.

Report received, and the petitions placed on file.

Mr. Speaker :

Your committee on towns and counties to whom was referred C. B. No. 58, entitled "An act to incorporate the city of Billings,"

have had the same under consideration and beg leave to report the same back to the house with the recommendation that it do pass.

NORTON, Chairman.

Mr. Speaker :

I move that C. B. No. 58 be referred to committee on towns and counties with instructions to reduce the debt provisions one-half by proper amendments.

BIDDLE.

Motion adopted, and bill recommitted to the committee on towns and counties with instructions.

Mr. Speaker :

Your committee on towns and counties to whom was referred, H. B. No. 84, "A bill for an act to amend section 961 of the fifth division of the revised statutes of Montana," have had the same under consideration and beg leave to report the same back with the recommendation that it do pass.

NORTON, Chairman.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker :

Your committee on elections have considered H. B. No. 78 and herewith report the same back with the accompanying amendments and recommend that such amendments be adopted, and that as so amended said bill do pass.

FORBIS.

Report adopted, and bill with amendments placed on general orders, and made a special order immediately after the consideration of H. B. No. 15.

Mr. Speaker :

Your select committee consisting of members of house from Gallatin county, to whom was referred C. B. No. 48, report the same back with recommendation that the same do pass.

NICHOLS.

SLOAN.

ROBINSON.

Report adopted, the rules were suspended, and the bill passed to a third reading.

Mr. Speaker :

Your select committee composed of members from Gallatin

county, to whom was referred H. B. No. 85, report the same back with the recommendation that it do pass.

NICHOLS.
ROBINSON,
SLOAN.

Report adopted; bill ordered engrossed.

Mr. Speaker:

Your select committee consisting of the members from Deer Lodge and Silver Bow counties, to whom was referred H. B. No. 42, have had the same under consideration and recommend the adoption of the accompanying amendment, and that as so amended said bill do pass.

J. T. BALDWIN.
C. KOHRS.
F. L. PERKINS.
W. O. SPEER.
FORBIS.

Amendments of the committee adopted, and the bill ordered engrossed.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I hereby give notice that I will to-morrow or some subsequent day of the session introduce a bill for an act to enable the county of Jefferson to erect a jail.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill for an act to disestablish the county of Jefferson and to apportion the territory of said county to and between the counties of Lewis and Clarke, Silver Bow, and Gallatin.

JURGENS.

Mr. Speaker:

I give notice that I will to-morrow or some future day introduce a bill for an act relating to fences.

PAGE.

The following reports were received :

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 38 and find the same correctly enrolled, which

bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker:

Your committee on enrollment beg leave to report C. B. No. 25 correctly enrolled and herewith present same to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 38 and C. B. No. 25.

Mr. Potts introduced H. B. No. 87, "A bill for an act authorizing the deposit of public funds in banks."

Read first and second times and ordered printed.

C. B. No. 63, "An act to amend section 62 of chapter IV of the fourth division of the revised statutes," was read first and second times and referred to the committee on judiciary.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 52 and H. B. No. 86, and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 52 and 86.

C. B. No. 56, "An act to enable the county of Choteau to pay a balance due for the erection of a court house."

Read first and second times and referred to the committee on town and counties.

C. B. No. 51, "An act in relation to the presentation and auditing accounts by county commissioners."

Read first and second times and referred to the committee on towns and counties.

C. B. No. 55, "An act concerning the rights and liabilities of husband and wife."

Read first and second times and referred to the committee on judiciary.

H. B. No. 73 was read a third time and passed by the following vote:

Ayes—Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Baldwin, Biddle.—2.

Title agreed to.

H. B. No. 84 was read a third time and passed by the following vote:

Ayes—Eastman, Emigh, Fisk, Forbis, Holt, Jurgens, Moore, Norton, Perkins, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—15.

Noes—Hatch, Kohrs, Nichols, Page, Potts, Robinson, Speer.—7.

Absent—Baldwin, Biddle.—2.

Title agreed to.

On motion of Forbis the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following report was received:

Mr. Speaker:

Your committee on engrossment, to whom was referred C. J. R. No. 2 report the same back with amendment correctly engrossed.

NICHOLS, Chairman.

Resolution passed to a third reading.

Mr. Baldwin moved a call of the house. A call was had.

Absent—Jurgens, Kohrs, Page and Perkins.

Messrs. Page and Perkins having appeared in their seats a further call was dispensed with.

The hour having arrived for which H. B. No. 15 was made a special order, the house resolved itself into a committee of the whole for its consideration.

Mr. Hatch in the chair.

House resumed.

Mr. Speaker in the chair.

The following communication was received.

COUNCIL CHAMBER,
Helena, M. T., Feb. 25th, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that under suspension of the rules C. B. No. 71 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

C. B. No. 71, "A bill for an act concerning the meetings of the board of county commissioners of Yellowstone county," read first and second times. The rules were suspended, the bill passed to a third reading. Read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Holt.—1.

Title agreed to.

The house again resolved itself into a committee of the whole, for the further consideration of general orders.

Mr. Hatch in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Hatch, chairman of the committee of the whole, was granted time in which to make his report.

Mr. Biddle moved that the house now take under consideration the final passage of H. B. No. 45, and that the debate be limited to ten minutes.

Mr. Baldwin moved a call of the house.

Call commenced, and was on motion dispensed with.

Mr. Speer moved that the house do now adjourn.

Motion lost.

H. B. No. 45 was read a third time.

On motion of Mr. Biddle the bill was recommitted to the committee on engrossment with instructions.

Mr. Forbis moved that the house do now adjourn.

Motion lost by the following vote :

Ayes—Baldwin, Emigh, Fisk, Forbis, Jurgens, Nichols, Page, Robinson, Sloan, Speer, Wells.—11.

Noes—Biddle, Hatch, Holt, Kohrs, Moore, Norton, Perkins, Potts, Seligman, Taylor, Tingle, Mr. Speaker.—12.

Absent—Eastman.

On motion of Mr. Norton the house took a recess until 7:30 p. m.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following report was received :

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 45, report the same back with section 17 correctly engrossed as amended in committee of the whole.

NICHOLS, Chairman.

Baldwin moved a call of the house.

Call commenced, but was on motion dispensed with.

Mr. Biddle moved that section 17 of H. B. No. 45 be read as amended and the bill placed on its final passage.

Motion carried by the following vote :

Ayes—Biddle, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—17.

Noes—Baldwin, Fisk, Jurgens, Speer.—4.

Absent—Eastman, Emigh, Wells.—3.

Sections 16 and 17 read and H. B. No. 45 was passed by the following vote :

Ayes—Biddle, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—Baldwin, Emigh, Speer.—3.

Absent—Eastman.—1.

Title agreed to.

On motion of Mr. Nichols the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., February 26, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called— quorum present.

Prayer by the chaplain.

Journal of the forty-fifth day read and approved.

The following report was received :

Mr. Speaker :

Your committee of the whole house had under consideration H. B. No. 53, "An act to authorize the organization and incorporation of annuity safe deposit and trust companies," herewith transmit the same and respectfully report, that after having read the same at length, the committee arose, instructing your chairman to ask leave to sit again for the further consideration of this bill.

HATCH, Chairman.

Mr. Taylor presented a petition from residents of Choteau county, praying to be annexed to Sun river school district No. 8, Lewis and Clarke county.

Referred to the committee on education and labor.

The following reports were received :

Mr. Speaker :

The committee on ways and means to whom was referred, C. B. No. 32, "An act in relation to the taxation of telegraph and telephone lines, having had the same under consideration, report the bill back and recommend its indefinite postponed.

POTTS, Chairman.

Report adopted, and bill indefinitely postponed.

Mr. Speaker :

The special committee to whom was referred, H. B. No. 11, A bill for an act to amend section 20, of article 7 of an act to incorporate the city of Helena, having had the same under consideration report the bill back with the recommendation that it be indefinitely postponed.

B. F. POTTS,
J. H. JURGENS.

Report adopted, and the bill indefinitely postponed.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I give notice that I will on to-morrow or some future day ask leave to introduce a bill entitled a bill for act to protect gas-light, and water companies.

FORBIS.

Mr. Speaker :

I will to-morrow or on some future day, of the session, introduce a bill for an act to amend chapter twenty-six, article one, fifth division revised statutes of Montana.

PAGE.

Bills were introduced as follows :

By Jurgens—H. B. No. 88, "A bill for an act to disestablish the county of Jefferson, and to appoint the territory of said county to and between the counties of Silver Bow, Lewis and Clarke and Gallatin."

Read first and second times and referred to a special committee consisting of the members from Jefferson, Lewis and Clarke and Silver Bow counties.

By Forbis—H. B. No. 89, "An act for the erection of the Montana penitentiary, and for other purposes.

Read first and second times and ordered printed.

By unanimous consent, Forbis, introduced H. B. No. 90 "An act to protect gas-light and water companies."

Read first and second times and referred to the committee on judiciary.

By Page—H. B. No. 91, "A bill for an act concerning fences."

Read first and second times, rules suspended and bill ordered engrossed and passed to a third reading.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 26, 1885

Mr. Speaker :

I am directed by the council to inform your honorable body that notices of the introduction of bills were given as follows :

By Kennedy—"A bill requiring the publication of certain matters."

By Green—A bill entitled an act to amend section 447, 5th division of general laws of Montana."

Also, a bill entitled an act for the protection of hotel keepers.

Bills were introduced as follows :

By Cotant—C. B. No. 70, "A bill for an act to incorporate the city of Miles.

My Mitchell—C. B. No. 72, A bill for an act to provide for the surpport and maintenance of the Anaconda fire department."

By committee on ways and means—C. B. No. 73, An act to amend sections 1026 and 1029 of the revised statutes."

Kennedy introduced C. J. M. No. 3, concerning the United States penitentiary.

The president announced the signing of C. B. No. 25, H. J. R. No. 8, as amended and H. B. No. 3, as amended have passed the council and are herewith transmitted.

H. B. No. 64, has been lost and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The house refused to concur in council amendments to H. B. No. 3, and asked for a committee of conference. The chair appointed as such committee on the part of the house, Potts, Forbis and Tingle.

House also refused to concur in council amendments to H. J. R. No. 8.

C. B. No. 33—"An act to amend section 1219, of chapter 67 of the fifth division of the revised statutes," was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker—22

Noes—none.

Absent—Sloan, Speer.—2.

Title agreed to.

C. B. No. 48, was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Holt Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells and Mr. Speaker.—23.

Noes—none.

absent—Forbis.—1.

Title agreed to.

C. B.No. 54 was read a third time and passed by the following vote.

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells and Mr. Speaker.—24.

Noes—none.

Title agreed to.

On motion of Mr. Fisk, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

C. J. R. No. 2 was read a third time and passed by the following vote :

Ayes—Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Wells, Mr. Speaker.—17.

Noes—Biddle, Eastman, Emigh, Forbis, Taylor.—5.

Absent—Baldwin, Speer.—2.

Title agreed to.

The following reports were received :

Mr. Speaker:

Your committee of the whole house having considered H. B. No. 78, in relation to the registration and qualifications of voters, herewith transmit the same with amendments, and respectfully recommend that it do pass as amended.

HATCH, Chairman.

Report adopted and bill ordered engrossed as amended.

Mr. Speaker:

Your committee of the whole house having considered H. B. No. 15, an act relative to water rights, herewith transmit the same with amendments, and respectfully recommend that it do pass as amended.

HATCH, Chairman.

Report adopted, and bill ordered engrossed as amended.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H. B. No. 52, H. B. No. 38, H. B. No. 16, H. B. No. 86, H. B. No. 68 and C. B. No. 25, were presented by said committee to the governor for his approval on the 26th day of February 1885, at 10:30 a. m.

TINGLE.

Chairman of House Committee.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 91, report the same back correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

Mr. Speaker:

Your committee on printing herewith report back to the house, correctly printed, H. B. 87, authorizing the deposit of public funds in banks.

Very respectfully,

FISK, Chairman.

Bill referred to the committee on ways and means.

Mr. Page moved that the rules be suspended, H. B. No. 91, be read a third time and placed on its final passage.

Motion carried by the following vote:

Ayes—Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Potts, Robinson, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Baldwin, Biddle, Fisk, Perkins, Seligman.—5.

On motion of Mr. Potts, the bill was temporarily laid upon the table.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Eastman in the chair.

House resumed.

Mr. Potts in the chair.

Mr. Nichols moved a call of the house.

A call was had—Absent, Biddle, Emigh, Forbis, Hatch, Seligman, Sloan, Speer, Taylor and Mr. Speaker.

The absentees appeared in their seats, and a further call was dispensed with,

Mr. Nichols moved to adjourn.

Motion lost.

The house again resolved itself into a committee of the whole for the further consideration of general orders.

Mr. Eastman in the chair.

House resumed.

Mr. Speaker in the chair.

Eastman, chairman of the committee of the whole, was granted time to make his report.

On motion of Mr. Tingle, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 27, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Emigh.

Prayer by the chaplain.

Journal of the forty-sixth day read and approved.

The following communications were received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, February 27, 1885.

To the House of Representatives :

I have the honor to inform the house of representatives that I have this day signed H. B's Nos. 16, 52, 68, and 86.

Very respectfully,

B. P. CARPENTER.

COUNCIL CHAMBER,
Helena, Montana, February 26, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that bills were introduced as follows :

By Greene—C. B. No. 74, "An act to amend section 447, fifth division of the general laws of Montana."

By Kennedy—C. B. No. 75, "An act regulating the publication of certain matters." Ordered printed.

The president announced the signing of H. B's Nos. 38, 52, and 86.

Substitute for H. B. No. 1 as amended, and C. B. No. 57 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Mr. Forbis the house concurred in council amendments to H. B. No. 1, and the bill was ordered enrolled.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, reported progress and asked leave to sit again.

On motion of Mr. Fisk the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Leave of absence granted Mr. Emigh for the day, on account of sickness.

The following reports were received:

Mr. Speaker :

The committee of the whole have had under consideration C. B. No. 36, "An act to amend the second subdivision of section 211 of chapter 19 of third division of the revised statutes of Montana," and herewith report the same back with the recommendation that said bill do pass as heretofore amended.

The committee have also had under consideration H. B. No. 62, "A bill for the protection of dairymen, and to prevent deception in the sales of butter and cheese," and herewith report the same back with the recommendation that the same do pass.

Also H. B. No. 34, "A bill for an act to create the county of Valley," and herewith report the same back to the house with the recommendation that the same do not pass.

The committee have also had under consideration substitute for C. B. No. 27, "An act to create the county of Fergus and for the election of officers therein," and herewith report the same back to the house with the accompanying amendments, and recommend that such amendments be adopted and that the bill be then referred to a select committee consisting of the members from Meagher and Choteau counties with instructions to amend such bill in such manner as to make the provisions of the bill applicable alike to Meagher and Choteau counties, and that as so amended the bill do pass

FORBIS.

Report adopted.

Amendments to C. B. No. 36 ordered engrossed.

The rules were suspended, H. B's Nos. 62 and 34 were considered engrossed and passed to a third reading.

Mr. Speaker :

Your committee of the whole having under consideration H. B. No. 53, instruct me to report same back with accompanying amendments, and recommend that bill as amended do pass.

EASTMAN, Chairman.

Report adopted, and bill ordered engrossed as amended.

Mr. Speaker:

Your committee on enrollment beg leave to report they have examined H. B. No. 1 and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 1.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 83 beg leave to report the same correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 85 report the same back correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed. Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, reported having had under consideration H. B. No. 25, had made progress, and asked leave to sit again, and that it be the first bill considered at the next sitting of the committee of the whole.

On motion of Mr. Seligman the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, February 28, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the forty-seventh day read and approved.

The following reports were received:

Mr. Speaker:

Your committee on printing herewith report back to the house correctly printed H. B. 89, providing for the erection of the Montana penitentiary, and for other purposes.

Respectfully,
FISK, Chairman.

Bill referred to the committee on territorial affairs.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 36 report the same back with house amendments correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 28, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the council has concurred in house amendments to C. B. No. 34.

Notices of the introduction of bills were given as follows:

By DeWolfe—"A bill to amend sections 455 and 1021 of the fifth division of the revised statutes of Montana.."

By Kennedy—"A bill for an act in relation to indigent persons brought into the territory or taken from one county to another."

Bills were introduced as follows:

By Chessman—C. B. No. 76, "A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved —22, 1881.

By Armstrong—C. B. No. 77, "An act concerning the publication of the syllabi of the decisions of the supreme court.

Kennedy introduced C. J. R. No. 5, "For the distribution of statutes."

The governor has notified the council of his approval of C. B. No. 25.

The council requests that you transmit H. B. No. 3, and that the house respectfully ask the council to recede from its amendments thereto.

The council has ordered me to return to you C. J. R. No. 2, and ask that the house give full and further explanation of the history of the resolution.

H. B. No. 26 as amended, and C. B's Nos. 45, 62, 67 and 69, and C. J. M. No. 2, and C. J. R. No. 5 have passed the council and they are herewith transmitted.

DAVID MARKS, Chief Clerk.

Mr. Forbis moved that the council be requested to recede from the council amendments to H. J. R. No. 8. Motion prevailed.

The chief clerk was instructed to inform the council that the house insists upon a committee of conference on H. B. No. 3; that the house does not wish them to recede from all the proposed amendments to such bill, and therefore asks the conference.

Biddle moved a call of the house.

A call was had. Absent—Baldwin, Hatch, Speer.

A further call was dispensed with.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, reported progress and asked leave to sit again.

On motion of Mr. Biddle the further consideration of H. B. No. 25 was made a special order at the next sitting of the committee of the whole.

On motion of Mr. Seligman the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

On motion of Mr. Baldwin the house took a recess for twenty minutes.

House resumed.

Mr. Speaker in the chair.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, February 28, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body that the council has reconsidered the vote by which C. B. No. 71 has passed the council, have stricken out section 2, and as so amended the bill has passed and is herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Mr. Tingle the vote by which C. B. No. 71 passed the house was reconsidered.

On motion of Mr. Forbis the house concurred in the council amendment to C. B. No. 71, the bill was placed on its final passage and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—
22

Noes—None.

Absent—Kohrs, Speer.—2.

Title agreed to.

Mr. Speaker announced that he was now about to sign C. B. No. 71.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, was granted time in which to make his report.

Mr. Seligman moved that the house take a recess until 7:30 p. m.

Motion carried by the following vote :

Ayes—Biddle, Fisk, Holt, Jurgens, Kohrs, Moore, Norton, Perkins, Potts, Robinson, Seligman, Tingle, Wells.—13.

Noes—Baldwin, Emigh, Forbis, Hatch, Nichols, Page, Sloan, Taylor, Mr. Speaker.—9.

Absent—Eastman, Speer.—2.

7:30 p. m., House resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Biddle moved a call of the house. A call was had

Absent—Eastman, Seligman, Wells.

The absentees appeared in their seats and a further call was dispensed with.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 53 report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 63 report the same back correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

Mr. Sloan presented a petition praying for the division of Gallatin county.

Mr. Fisk presented a petition from residents of Jefferson county, praying that a portion of their county be annexed to Lewis and Clarke.

Mr. Nichols presented a petition from tax payers of Gallatin county, praying against any division of their county.

Petitions referred to the committee on towns and counties.

The following reports were received:

Mr. Speaker:

A majority of your committee on public lands beg leave to report that they have examined C. J. M. No. 1 concerning public lands granted to the N. P. R. R. Co., and recommend that it be indefinitely postponed.

The memorial complains of a grievance that appears to have been removed by the company and does not now exist.

PAGE.
NORTON.
TAYLOR.
EMIGH.

Report adopted and memorial indefinitely postponed.

Mr. Speaker:

Your committee on towns and counties to whom was recommit-
ted for amendment C. B. No. 58 beg leave to report the same back
with the accompanying amendments as ordered by the house.

NORTON, Chairman.

Report adopted, the rules were suspended, the amendments con-
sidered engrossed and the bill passed to a third reading.

Mr. Speaker:

Your committee on towns and counties to whom was referred
C. B. No. 56, "An act to enable the county of Choteau to pay a
balance due for the erection of a court house," have had the same
under consideration and beg leave to report that they called before
them persons familiar with the circumstances of the Choteau county
court house debt. Believe that the county commissioners of Cho-
teau county exceeded their authority in contracting this debt, and
therefore recommend that the bill do not pass.

NORTON, Chairman.

Bill passed to a third reading.

Mr. Speaker:

Your committee on towns and counties to whom was referred
C. B. No. 51, "An act in relation to the presentation and auditing
accounts by county commissioners," having considered the same
beg leave to report it back recommending its passage.

NORTON, Chairman.

Bill placed on general orders.

Mr. Speaker:

The committee of the whole have had under consideration H. B.
No. 25 and herewith report the same back with the accompanying
amendments and recommend that such amendments be adopted and
that as so amended said bill do pass.

The committee have also had under consideration H. B's Nos. 35
and 74, also, H. J. R. No. 10, and have instructed me to report each
of said bills and said resolution back with the recommendation that
the same do pass.

The committee have also had under consideration C. B. No. 40. and have instructed me to report the same back with the recommendation that the same be indefinitely postponed.

FORBIS.

Report adopted.

H. B's Nos. 25, 35, 74, and H. J. R. No. 10 were ordered engrossed.

C. B. No. 40 was indefinitely postponed.

Mr. Speaker:

Your committee on incorporations to whom was referred H. B. No. 41 beg leave to report the same with a substitute, and recommend the substitute as preferable to the original bill, without recommendation as to the passage of either.

PERKINS, Chairman.

Mr. Speaker:

Your committee on Indian affairs having under consideration C. B. No. 52 herewith return same to the house with the recommendation that it do not pass.

EASTMAN.

HATCH.

JURGENS.

Mr. Speaker:

Your committee on Indian affairs having under consideration H. B. No. 72 herewith return same to the house with the recommendation that it do not pass.

EASTMAN.

HATCH.

JURGENS.

Mr. Speaker:

The committee on Indian affairs to whom was referred H. B. No. 72 beg leave to report they have had the same under consideration and herewith submit a minority report with the recommendation that said bill do pass.

GEO. R. TINGLE.

J. F. TAYLOR.

H. B's Nos. 41, 72 and C. B. No. 52 placed on general orders.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I give notice that I will on to-morrow or some subsequent day of the session introduce a bill for an act concerning the enacting and repealing of statutes.

POTTS.

Mr. Speaker :

I will on to-morrow or some subsequent day, introduce a bill entitled "A bill for an act to enable the counties of Silver Bow and Gallatin to aid in the construction of a railroad."

FORBIS.

Mr. Speaker :

I hereby give notice that I will to-morrow or some future day introduce a bill to regulate the fees of county assessors.

TAYLOR.

Mr. Speaker :

I hereby give notice that on to-morrow or some subsequent day I will introduce a bill concerning the removal of the county seat of Jefferson county.

FISK.

Mr. Speaker :

I hereby give notice that on Monday or some future day I will introduce a bill to enable county commissioners of Missoula county to levy a special tax for construction of the Thompson Falls and Cœur d'Alene wagon road.

EASTMAN.

On motion of Mr. Fisk the committee on ways and means were instructed to report on H. B. No. 69 at 10:30 a. m. Monday next.

On motion of Mr. Nichols the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 2, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Kohrs.

Prayer by the chaplain.

Journal of the forty-eighth day read and approved.

Leave of absence granted Mr. Kohrs for the day.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, February 28, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that notices were given as follows

By Kennedy—"A bill for an act to provide for the teaching of a trade to indigent blind persons;" also,

"A bill for an act to enable the county of Missoula to build a jail."

By DeWolfe—"A bill authorizing the diversion of water for agricultural, manufacturing or other industrial purposes."

Bills were introduced as follows:

By DeWolfe—C. B. No. 78, "An act to amend sections 455 and 1021 of the fifth division of the revised statutes."

By Kennedy—C. B. No. 79, "An act in relation to indigent blind persons brought into the territory or taken from one county to another."

By Greene—C. B. No. 80, "An act for the protection of inn and hotel keepers."

The council has concurred in house amendments to C. J. R. No. 2.

The council refuses to recede from its amendments to H. J. R. No. 8, and the resolution is herewith transmitted.

C. J. R. No. 6, under a suspension of the rules, and H. B. No. 73 have passed the council and are herewith transmitted.

The president announced the signing of C. B. No. 71.

DAVID MARKS, Chief Clerk.

The following reports were received:

Mr. Speaker:

The judiciary committee to whom council bill No. 39 was referred beg leave to report said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 80,

beg leave to report said bill back with the recommendation that the same do not pass.

W. O. SPEER, Chairman.

Reports adopted, and bills passed to a third reading.

On motion of Mr. Page the committee on judiciary returned to the house H. B's Nos. 19 and 32.

Mr. Speaker:

Your committee on engrossment to whom was referred H. J. R. No. 10 report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 74 report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment, to whom was referred H. B. No. 42 report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 15 report the same back correctly engrossed except in section 9, line 7, where space is left for the insertion of the word "given" which should be inserted, and your committee ask that the same be done in the presence of the house.

NICHOLS, Chairman.

H. J. R. No. 10 and H. B's Nos. 74 42, and 15 were passed to a third reading.

The following notice was received:

Mr. Speaker:

I hereby give notice that on to-morrow or some subsequent day of the session I will introduce a bill for an act concerning weights and measures.

W. O. SPEER.

Mr. Fisk presented a petition from 55 citizens of Jefferson county praying to be annexed to Lewis and Clarke.

Referred to the committee on towns and counties.

On motion of Seligman the chair appointed Messrs. Seligman, Biddle and Wells as a committee of conference on H. J. R. No. 8.

H. B. No. 73 was ordered enrolled.

Bills were introduced as follows :

By Fisk—H. B. No. 92, "An act concerning the boundaries of the counties of Jefferson, Meagher, Lewis and Clarke, and Silver Bow, and for other purposes."

By unanimous consent the bill was read first and second times by title and referred to a select committee consisting of the members from Jefferson, Meagher, Silver Bow and Lewis and Clarke counties.

By Seligman—H. B. No. 93, "An act to enable the county of Jefferson to erect a jail."

Read first and second times and referred to a select committee consisting of Messrs. Fisk, Seligman and Biddle.

By Page—H. B. No. 94, "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday."

Read first and second times and referred to the committee on military affairs.

By unanimous consent Speer introduced H. B. No. 95, "A bill for an act concerning weights and measures."

Read first and second times and referred to the committee on judiciary.

By Wells—H. B. No. 96, "A bill for an act entitled an act to amend section 1 of an act, approved February 21, 1881."

Read first and second times and referred to the committee on agriculture and manufactures.

The house concurred in council amendments to H. B. No. 26, and bill ordered enrolled as amended.

C. J. R. No. 5, "For the distribution of statutes," read first and second times, rules suspended, and passed to a third reading.

C. J. R. No. 6, "To defray the expenses of the joint committee visiting the penitentiary and territorial insane asylum," was read first and second times, the rules suspended, and passed to a third reading.

C. B. No. 57, "An act to repeal an act entitled an act concerning the fees of jurors in civil cases, approved February 21, 1881.

Read first and second times and referred to the committee on judiciary.

C. J. M. No. 2, "To the president of the United States concerning Cheyenne Indian reservation."

Read first and second times and referred to the committee on public lands.

C. B. No. 62, "A bill for an act to prevent the branding of cattle during certain seasons of the year."

Read first and second times and referred to the committee on grazing and stock growing.

C. B. No. 45, "A bill for an act authorizing county commissioners to award contracts for keeping roads in repair."

Read first time and laid on table for second reading.

C. B. No. 67, "An act in relation to road taxes, and to repeal sections 1070 to 1076 and 1078 of the fifth division of the revised statutes," was read first and second times and referred to the committee on roads and highways.

C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties," was read first time and laid on the table for second reading.

H. B. No. 83 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Seligman, Sloan, Speer, Taylor, Wells, Mr. Speaker—21.

Noes—Potts, Tingle.—2.

Absent—Kohrs.—1.

Title agreed to.

H. B. No. 85 was laid upon the table.

H. B. No. 62 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Moore, Nichols, Norton, Page, Perkins, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Holt, Kohrs Potts.—3.

Title agreed to.

H. B. No. 80 was read a third time and lost by the following vote:

Ayes—Emigh, Fisk, Page, Wells.—4.

Noes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Mr. Speaker.—18.

Absent—Kohrs. Excused—Norton.

Mr. Forbis was granted leave of absence for the afternoon.

On motion of Mr. Fisk the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Kohrs.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 2, 1885.

Mr. Speaker:

I am directed by the council to forward to your honorable body C. B. No. 42 which has been correctly engrossed.

DAVID MARKS, Chief Clerk.

C. B. No. 42 was passed to a third reading.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 35 report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 78 report back the same correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

H. B. No. 63 was read a third time and passed by the following vote:

Ayes—Baldwin, Eastman, Fisk, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—18.

Noes—None.

Absent—Biddle, Emigh, Forbis, Kohrs, Perkins, Seligman.—6.

Title agreed to.

H. B. No. 34 was read a third time and lost by the following vote:

Ayes—Eastman, Fisk, Sloan, Speer, Tingle, Mr. Speaker.—6.

Noes—Baldwin, Biddle, Hatch, Holt, Jurgens, Moore, Nichols, Page, Potts, Robinson, Seligman, Taylor, Wells.—13.

Absent—Emigh, Forbis, Kohrs. Perkins.—4.

Norton, being paired with Forbis, was excused from voting.

The following reports were received :

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B. No. 73 and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker :

Your joint committee on enrollment having examined C. B's Nos. 33, 34, 48 and 54 find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE, Chairman of House Com.

Mr. Speaker announced that he was now about to sign C. B's Nos. 33, 34, 48, 54, and H. B. No. 73.

H. B. No. 42 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Fisk, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Wells, Mr. Speaker.—19.

Noes—None.

Absent—Emigh, Forbis, Kohrs, Perkins, Tingle.—5.

Title agreed to.

H. B. No. 74 was read a third time and passed by the following vote:

Ayes—Baldwin, Eastman, Fisk, Hatch, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells.—17.

Noes—Mr. Speaker.—1.

Absent—Biddle, Emigh, Forbis, Holt, Kohrs, Perkins.—6.

Title agreed to.

H. J. R. No. 10 was read a third time and passed by the following vote:

Ayes—Biddle, Emigh, Fisk, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Robinson, Seligman, Sloan, Tingle, Wells, Mr. Speaker.—16.

Noes—Baldwin, Eastman, Potts, Speer, Taylor.—5.

Absent—Forbis, Kohrs, Perkins.—3.

Title amended "In reference to official maps of Montana territory."

H. B. No. 15 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Emigh, Holt, Moore, Nichols, Norton, Page, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker.—15.

Noes—Eastman, Hatch, Jurgens, Potts, Speer.—5.

Absent—Fisk, Forbis, Kohrs, Perkins.—4.

Title agreed to.

On motion of Mr. Page the veto messages of the governor on H. B's Nos. 19 and 32 were taken up for the consideration of the house.

On motion of Mr. Seligman the vote by which H. B. No. 19 passed the house was reconsidered.

The question being put "Shall this bill pass, the objections of the governor to the contrary notwithstanding," the bill was lost by the following vote:

Ayes—Eastman, Potts, Seligman, Speer, Wells, Mr. Speaker.—6.

Noes—Baldwin, Biddle, Emigh, Fisk, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Robinson, Sloan, Taylor.—14.

Absent—Forbis, Kohrs, Perkins, Tingle.—4.

On motion of Mr. Seligman the vote by which H. B. No. 32 passed the house was reconsidered.

The question being put "Shall this bill pass, the objections of the governor to the contrary notwithstanding," the bill passed by the following vote :

Ayes—Biddle, Eastman, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Potts, Robinson, Seligman, Speer, Taylor, Tingle, Wells, Mr. Speaker.—16.

Noes—Baldwin, Emigh, Fisk, Page, Sloan.—5.

Absent—Forbis, Kohrs, Perkins.—3.

On motion of Mr. Page H. B. No. 91 was taken from the table and placed on its final passage and was passed by the following vote :

Ayes—Baldwin, Biddle, Esatman, Emigh, Fisk, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Robinson, Seligman, Speer, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Potts.—1.

Absent—Forbis, Kohrs, Perkins, Sloan.—4.

Title agreed to,

H. B. No. 78 was read a third time.

Seligman moved a call of the house.

A call was had. Absent—Perkins.

Further call was dispensed with.

H. B. No. 78 was passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Speer, Wells, Mr. Speaker.—17.

Noes—Baldwin, Holt, Moore, Taylor, Tingle.—5.

Absent—Kohrs, Perkins.—2.

Title agreed to.

By unanimous consent Biddle introduced H. J. R. No. 11, "For the employment of additional clerks."

Read first and second times, the rules were suspended, the resolution considered engrossed and passed to a third reading.

Read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—Baldwin.—1.

Absent—Kohrs, Perkins.—2.

Title agreed to.

On motion of Mr. Potts the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., March 3, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the fiftieth day read and approved.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred H. J. R. No. 10, report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 53, report the same correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 25, report the same back correctly engrossed.

NICHOLS, Chairman.

H. B's. No. 53 and 25 were passed to a third reading.

The following communication was received:

COUNCIL CHAMBER,

Helena, Montana, March 2, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that

Fergus gave notice of "a bill entitled an act for the better protection of clients in courts of justice."

Bills were introduced as follows :

By Kennedy—C. B. No. 81, "An act to provide for the teaching of a trade to indigent blind persons ;" also, C. B. No. 82, "An act to enable the county of Missoula to build a jail."

The chair appointed as conference committee on the part of the council on H. B. No. 3. Messrs, DeWolf, Kennedy and Fergus.

House bill No. 45, as amended, C. bills 61, 73 and 74 have passed the council and are herewith transmitted.

C. B. No. 68, was read a third time and lost.

DAVID MARKS, Chief Clerk

The house concurred in council amendments to H. B. No. 45 ; bill ordered enrolled as amended.

H. B. No. 35 was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Fisk, Holt, Kohrs, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—16.

Noes—Emigh, Forbis, Jurgens, Moore, Sloan, Speer.—6.

Absent—Baldwin, Hatch.—2.

Title agreed to.

H. B. No. 25 was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Forbis, Holt, Jurgens, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Wells, Mr. Speaker.—16.

Noes—Baldwin, Fisk, Hatch, Kohrs, Moore, Speer, Taylor.—7.

Absent—Emigh.—1.

Title agreed to.

H. B. No. 53 was partially read a third time when Mr. Speaker, who was on the floor, moved a call of the house.

A call was had—absent, Baldwin, Emigh, Fisk, Hatch, Norton, Sloan, Speer, Tingle.

A further call was dispensed with, the reading of the bill at length was finished, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Page, Perkins, Potts, Robinson, Seligman, Tingle, Wells.—18.

Noes—Norton, Speer, Taylor, Mr. Speaker.—4.

Absent—Fisk, Sloan.—2.

Title agreed to.

On motion of Mr. Forbis, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

By unanimous consent, notices of the introduction of bills were given as follows :

Mr. Speaker :

I will on to-morrow or some subsequent day of the session, introduce a house joint resolution to provide for the organization of the state of Montana under its constitution and for the election of two senators to congress.

NORTON.

Mr. Speaker :

I hereby give notice that I will to-morrow or some subsequent day introduce a bill concerning public printing.

FISK.

Mr. Speaker :

I give notice that I will on to-morrow on some future day of the session introduce a bill for an act to amend section 13 of an act entitled "An act to protect game, fur-bearing animals and fish," approved March 8th, 1883.

PAGE.

Mr. Speaker :

I give notice that I will tomorrow or some future day introduce a bill to amend school law.

C. KOHRS.

The following report was received :

Mr. Speaker :

Your joint committee on enrollment beg leave to report that

C. J. R. No. 2 correctly enrolled and same is herewith presented to the speaker of the house for his signature.

TINGLE, Chairman House Com.

Mr. Speaker announced that he was now about to sign C. J. R. No. 2.

C. J. R. No. 5 was read a third time and passed by the following vote :

Ayes—Biddle, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Robinson, Seligman, Sloan, Speer, Tingle, Wells, Mr. Speaker.—17

Noes—Eastman, Forbis, Potts.—3.

Absent—Baldwin, Emigh, Page, Taylor.—4.

Title agreed to.

C. J. R. No. 6 was read a third time and passed by the following vote :

Ayes—Eastman, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Potts, Robinson, Seligman, Sloan, Wells, Mr. Speaker.—17.

Noes—Biddle,—1.

Absent—Baldwin, Emigh, Page, Speer, Taylor, Tingle.—6.

Title agreed to.

C. B. No. 53 as amended was read a third time and passed by the following vote.

Ayes—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Emigh.—1.

Title agreed to.

C. B. No. 39 was read a third time and recommitted to the committee on judiciary.

C. B. No. 36, was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Seligman, Sloan, Speer, Taylor, Tingle, Wells, Mr. Speaker—19.

Noes—Eastman, Fisk, Jurgens, Robinson.—4.

Absent—Emigh.—1.

Title amended to read "A bill for an act to amend section 211 of the third division of the revised statutes of Montana."

C. B. No. 56 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Robinson, Seligman, Sloan, Taylor, Tingle, —15.

Noes—Nichols, Norton, Page, Perkins, Potts, Speer, Wells, Mr. Speaker.—8.

Absent—Emigh.—1.

Title agreed to.

Mr. Fisk moved that the rules be suspended and C. B. No. 58 be read a third time by title and placed on its final passage.

Motion lost by the following vote :

Ayes—Fisk, Forbis, Hatch, Holt, Moore, Norton, Page, Tingle, Wells.—9.

Noes—Baldwin, Biddle, Eastman, Jurgens, Kohrs, Perkins, Potts, Robinson, Seligman, Taylor, Mr. Speaker.—11.

Absent—Emigh, Nichols, Sloan, Speer.—4.

C. B. No. 58 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells.—17.

Noes—Eastman, Fisk, Page, Perkins, Speer, Mr. Speaker.—6.

Absent—Emigh.—1.

Title agreed to.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, March 3, 1885,

Mr. Speaker:

I am directed by the council to inform your honorable body that H. J. R. No. 11 has passed the council with amendments and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The house concurred in council amendments to H. J. R. No. 11, bill ordered enrolled as amended.

The following reports were received:

Mr. Speaker:

Your committee of conference appointed to confer with a like committee from the council regarding H. J. R. No. 8, "For placing insurance on the Montana law library," beg leave to report that they have consulted with the council committee and recommend that the house concur in the council amendments.

A. J. SELIGMAN, Chairman.

Report adopted, and H. J. R. No. 8 was ordered enrolled as amended.

Mr. Speaker:

Your committee on agriculture and manufactures, to whom was referred H. B. No. 96, have had the same under consideration and herewith very respectfully report the same back without approval. While the committee are unanimous in the belief that death from too much saw-dust has partially depleted some of the lesser streams of the territory of the finny tribes, we still believe that the bill is too sweeping in its provisions; that it would be more harmful to the lumber industry than beneficial to the fish interests, and that further consideration of the subject and bill be indefinitely postponed.

FISK, Chairman.

Report received and the bill placed on general orders.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that C. B's Nos. 33, 34, 48, and 54, and H. B's Nos. 1 and 73, were presented by said committee to the governor for his approval on the third day of March, 1885, at 3:40 p. m.

TINGLE,
Chairman of House Committee.

Mr. Speaker:

The judiciary committee to whom H. B. No. 90 was referred beg leave to report said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Mr. Speaker:

The judiciary committee to whom council bill No. 63 was referred beg leave to report said bill back with the recommendation that the same do pass.

W. O. SPEER, Chairman.

Mr. Speaker:

Your committee on roads and highways to whom was referred C. B. No. 67, "An act in relation to road taxes and to repeal certain sections therein provided of the fifth division of the revised statutes of Montana," have had the same under consideration and beg leave to report the same back to the house with the recommendation that the said bill do pass.

JURGENS, Chairman.

Reports adopted, and H. B. No. 90 and C. B's Nos. 63 and 67 were placed on general orders.

On motion of Mr. Seligman C. B. No. 42 was laid on the table.

Seligman moved to take a recess until 7:30 p. m.

Motion lost by the following vote:

Ayes—Fisk, Holt, Kohrs, Norton, Seligman, Tingle.—6.

Noes—Eastman, Forbis, Hatch, Jurgens, Moore, Nichols, Page, Potts, Robinson, Sloan, Speer, Taylor, Wells, Mr. Speaker.—14.

Absent—Baldwin, Biddle, Emigh, Perkins.—4.

Mr. Speer moved to adjourn.

Motion lost.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed.

Mr. Speaker in the chair.

Seligman, chairman of the committee of the whole, reported having had under consideration H. B. No. 60, had made progress, and

asked leave to sit again, and that H. B. No. 60 be the first bill considered at the next sitting of the committee.

On motion of Mr. Tingle the house took a recess until 7:30 p. m.

7:30 p. m., House resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Fisk moved a call of the house. A call was had.

Absent—Eastman, Emigh, Hatch, Page, Perkins, Tingle.

Emigh and Tingle appeared in their seats. A further call was dispensed with.

On motion of Mr. Potts the rules were suspended and the house recurred to the reading of council bills.

C. B. No. 74, "An act to amend section 447, fifth division of the general laws of Montana," was read first and second times and referred to the committee on judiciary.

C. B. No. 61, "A bill for an act requiring all persons selling certain live stock to give bill of sale," was read first and second times and referred to the committee on grazing and stock growing.

C. B. No. 73, "An act to amend sections 1026 and 1029 of the fifth division of the revised statutes," was read first and second times and referred to the committee on judiciary.

On motion of Mr. Forbis C. B's Nos. 45 and 69 were taken from the table for second reading.

On motion of Mr. Forbis H. B. No. 12 was taken from general orders. The amendments proposed by the committee on judiciary were adopted, the bill ordered engrossed as amended and passed to a third reading.

C. B. No. 69 was read a second time and referred to the committee on roads and highways.

C. B. No. 45 was read a second time and referred to the committee on roads and highways.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Potts moved that when the house adjourns that it be to Thursday 10 a. m.

Motion carried by the following vote :

Ayes—Baldwin, Forbis, Hatch, Kohrs, Moore, Nichols, Potts, Robinson, Sloan, Speer, Taylor, Tingle.—12.

Noes—Fisk, Holt, Jurgens, Norton, Page, Seligman, Wells, Mr. Speaker.—8.

Absent—Biddle, Eastman, Emigh, Perkins.—4.

Norton moved a call of the house.

Call was commenced and was on motion dispensed with.

On motion of Mr. Forbis the vote by which the house agreed to adjourn until 10 a. m. Thursday was reconsidered.

On motion of Mr. Forbis the house ajourned.

HARRY H. DAVIS, Chief Clerk.

FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 4, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Emigh.

Prayer by the chaplain.

Journal of the fifty first day read and approved.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, March 3d, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that Buck gave notice of "a bill for an act to authorize and enable the county of Lewis and Clarke and the county of Choteau, Montana territory, to aid in the construction of a railroad to be built between Helena and Benton."

Bills were introduced as follows :

By Fergus—C. B. No. 83, "An act concerning sheriffs."

Also, C. B. No. 84, "An act entitled an act for the better protection of clients in courts of justice in the territory of Montana."

The council respectfully requests that you transmit the governor's objections to H. B. No. 32.

The president announced the signing of C. Bills 33, 34, 48, 54 and H. B's 1 and 73.

The governor has notified the council of his approval of C. B. No. 7.

C. bills 24 and 38 and house bills Nos. 20, 28 and 56 s amended, and H.B. 63, have passed the council and are herewith transmitted.

C. B. No. 50, has been correctly engrossed and is herewith transmitted.

DAVID MARKS, Chief Clerk.

Fisk moved a call of the house.

A call was had—Absent, Sloan.

Sloan appeared in his seat, and a further call was dispensed with.

Mr. Emigh, was granted leave of absence for the day.

The following report was received :

Mr. Speaker :

Your committee of the whole house, had under consideration H. B. No. 60, an act to create the county of Bridger and for the election of officers thereof.

Motion made to report bill back to house with recommendation that it do pass, amended. that it be reported back to house with recommendation it be indefinitely postponed, amended by Mr. Potts, that the name of Benjamin Myers, be stricken out of section 6, line 1 of bill, and Wm. M. Wright be substituted. Carried, amendment to motion then carried, and bill reported back to house, with recommendation it be indefinitely postponed.

A. J. SELIGMAN.

Report adopted, and bill indefinitely postponed, by the following vote :

Ayes—Biddle, Fisk, Hatch, Holt, Kohrs, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Wells.—13.

Noes—Baldwin, Eastman, Forbis, Jurgens, Sloan, Speer, Taylor, Tingle, Mr. Speaker.—9

Absent—Emigh, Moore.—2.

Mr. Fisk gave notice, that he would on to-morrow or some subsequent day of the session, move to reconsider the vote by which H. B. No. 60 was indefinitely postponed.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed. Mr. Speaker in the chair.

The following reports were received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 26, and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. J. R. No. 8 and H. J. R. No. 11, and find the same correctly enrolled, which are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. J. R's. Nos. 8 and 11 and H. B. No. 26.

By unanimous consent, notices of the introduction of bills were given as follows:

Mr. Speaker:

I hereby give notice that I will to-morrow or some subsequent day of the session, introduce a bill for an act, to enable William Henry Smith, to change his name to William Henry Gavin.

A. J. SELIGMAN.

Mr. Speaker:

I hereby give notice that I will on to-morrow or some future day introduce a bill to annex school district No. 2, Choteau county to school district No. 8, Lewis and Clarke county, for school purposes.

TAYLOR.

The following report was received:

Mr. Speaker :

Your committee of the whole having had under consideration the following bills, beg leave to make the accompanying report.

C. B. No. 44, amendments reported by judiciary committee, adopted.

Section 3 added, section 4 and 5 stricken out, bill reported back recommending passage as amended.

H. B. No. 82, bill reported back, recommending passage.

H. B. No. 77, amended by Forbis. Section 2, line 1, strike out word "hour," insert word "time," insert after "United States," the words "and of this territory."

Section 8, amended, strike out all after word "choice," 4th line, to end of section, bill reported back recommending passage as amended.

H. B. No. 66, amendment by Callaway, substitute word "his" for "their," in section 1, 5th line 2d page, carried, bill reported back recommending passage as amended.

H. J. R. No. 9, reported back, recommending passage.

H. B. No. 79, reported back with recommendation to be indefinitely postponed.

Substitute H. B. No. 57, committee report progress and ask leave to sit again, with this bill to be first considered at next meeting of the committee.

A. J. SELIGMAN.

Report adopted.

C. B. No. 44 and H. B. No. 77, were ordered engrossed as amended, and passed to a third reading.

H. B. No. 82 was ordered engrossed and passed to a third reading.

The rules were suspended, H. B. No. 66 and H. J. R. No. 9, were considered engrossed and passed to a third reading.

H. B. No. 79 was indefinitely postponed.

On motion of Mr. Seligman, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., March 5, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called— quorum present.

Prayer by the chaplain.

Journal of the fifty-second day read and approved.

The following reports were received :

Mr. Speaker :

The committee on ways and means to whom was referred, H. B. No. 55, "A bill for an act for the relief of A. J. Davidson and Wm. N. Baldwin," having had the same under consideration report the bill back with statement of account and recommend that the bill be referred to the standing committee on the judiciary to ascertain the legal liability of the territory to pay the claim in question.

B. F. POTTS, Chairman.

Report adopted, bill referred to the committee on judiciary.

Mr. Speaker :

The committee on ways and means to whom was referred H. B. No. 69, "A bill for an act concerning licenses," having had the same under consideration report the bill back and asked to be discharged from the further consideration of the same.

B. F. POTTS, Chairman.

Report adopted and bill placed on general orders.

Mr. Speaker :

Your committee on roads and highways to whom was referred C. B. No. 45, "An act authorizing county commissioners to award contracts for keeping roads in repair," also C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties," have had the same under due consideration, and a majority of your committee think that whereas these bills, if they should become a law, would work a benefit to certain sections, but to the majority of people prove a disadvantage, we, therefore, report said bills back to the house with the recommendation that they do not pass.

JURGENS, Chairman.

Report received and bills placed on general orders.

Mr. Speaker:

Your committee on public lands to whom was referred council joint memorial to the president of the United States, concerning Cheyenne Indian reservation, have had the same under consideration and report the same back with recommendation that it do pass.

PAGE.

Report adopted, the rules were suspended, the memorial considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on grazing and stock growing having had C. B. No. 62 under consideration report same back with the recommendation that the same do pass as amended.

C. KOHRS, Chairman.

Report adopted, the amendments ordered engrossed and the bill passed to a third reading.

Mr. Speaker:

Your committee on grazing and stock growing having had C. B. No. 61 under consideration report the same back with the recommendation that the same do pass.

C. KOHRS, Chairman.

Report adopted, the rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on towns and counties to whom was referred substitute for H. B. No. 61, "A bill for an act to create the county of Dearborn," having considered the same report the same back with the recommendation that it do not pass.

NORTON, Chairman.

The substitute was substituted for the original bill, the rules third reading.

were suspended, the bill ordered engrossed, and passed to a

Mr. Speaker:

A majority of your committee on military affairs to whom was referred H. B. No. 94, "An act to prohibit the retailing of intoxicating liquors on Sunday," beg leave to report the same back to the house with recommendation that it do pass.

PAGE.

ROBINSON.

MOORE.

Mr. Speaker:

As one of the minority of the committee on military affairs to whom H. B. No. 94 was referred, the undersigned most respectfully recommends that said bill be indefinitely postponed.

W. O. SPEER.

Mr. Speaker:

I offer the following as a substitute for H. B. No. 94: strike out all of the bill after the enacting clause and insert in lieu thereof the following: (Substitute enclosed.)

Also amend the title of said bill so as to read as follows: "A bill for an act to prohibit common labor on Sunday."

B. F. POTTS.

Minority of the Committee on Military Affairs.

Bill, substitute and reports were placed on general orders.

Mr. Speaker:

The undersigned, of the select committee to whom was referred H. B. No. 93, in reference to building a jail at Boulder City, the present county seat of Jefferson county, objects to the passage of said bill upon the grounds following:

It may readily be seen by those not familiar with the geographical construction of Jefferson county, by examining the maps, that it should be reconstructed, and to those who know the county best it is potent that it never has been and never can be successfully held together as a county organization.

The hand of Nature has created natural boundaries and barriers that effectually sever the interests of its several communities. This may be better understood by stating that the easterly portion of Jefferson county belongs to the present defunct Valley county as naturally as do the waters from its streams flow to the Missouri river, and its residents have interest in common with those across the river of western Meagher, and have no interest in common with the Boulder country.

Next we will consider the northern part of the county, embracing all that drained by the Prickly Pear creek, in which are situated Clancey, Jefferson City, Wickes, Gregory and other camps. The residents of this section do all their trading in Lewis and Clarke county, and go to Boulder only when judicial business requires them to.

The Boulder valley people have two practical passes to Butte, and it cannot be denied that they are more closely identified in interests with Silver Bow than any other section.

From the eastern and northern sections of Jefferson county nearly nine hundred tax payers, comprising considerably over one-half of the voters of the county, and representing over two-thirds of the total wealth of the county, have petitioned this honorable body to be relieved from further allegiance to Jefferson county and Boulder City, and to be attached to communities to which they properly belong.

It may be possible (improbable as such action should be) that this legislature will ignore the rights of these petitioners by refusing to grant their prayer, but they will see that their rights are sustained by the succeeding legislature, if not by this, and I can see no reasonable grounds for the passage of this bill under the existing state of affairs.

Another reason why this new jail should not be allowed is that the county now owns at Radersbrg (the former county seat) a good and substantial jail building, and that the people of that section are entitled to a deputy sheriff. It cannot be controverted that prisoners can be as cheaply and securely confined in the county jail at Radersburg as in a new one at Boulder.

The legislature should further take into consideration that Jefferson county is about (\$80,000) eighty thousand dollars in debt, and has nothing to show for it except the jail and court house at its former county seat, Radersburg.

I therefore respectfully but most earnestly protest against the passage of this bill and recommend its indefinite postponement.

VAN H. FISK, of Committee.

MAJORITY REPORT.

Mr. Speaker :

Your select committee appointed to consider H. B. No. 93, "An act to enable the county of Jefferson to erect a jail," beg leave to report the same back to the house with a recommendation that it do pass.

SELIGMAN.
BIDDLE.

Minority report was not adopted.

Majority report adopted by the following vote :

Ayes—Baldwin, Biddle, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Tingle, Wells, Mr. Speaker.—15.

Noes—Eastman, Emigh, Fisk, Jurgens, Perkins, Sloan, Speer, Taylor.—8.

Absent—Forbis.—1.

Bill ordered engrossed and passed to a third reading.

Mr. Speaker :

Your select committee to whom was referred substitute for C. B. No. 27 with amendments, with instructions to amend the same to conform to the extended boundaries, and adjustment of indebtedness, respectfully report that they have performed that duty and herewith transmit the bill with necessary amendments.

TAYLOR.
HATCH.
MOORE.

Report adopted, amendments ordered engrossed, and bill passed to a third reading.

Mr. Speaker :

Your select committee to whom were referred H. B's Nos. 88 and 92 herewith report the same back without recommendation further than that they be passed to their third reading.

Respectfully,
FISK, Chairman.

Report adopted.

H. B. No. 88 was ordered engrossed.

The rules were suspended, H. B. No. 92 was considered engrossed and passed to a third reading.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I give notice that I will on to-morrow or some subsequent day of the session, introduce a bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883.

POTTS.

From Ways and Means Com.

Mr. Speaker :

I will on to-morrow or some future day, introduce a bill for an act to amend an act to incorporate the town of Butte.

FORBIS.

Mr. Speaker :

I give notice that I will to-morrow introduce a house joint memorial relating to the desert land act of March 3, 1877.

PAGE.

The house concurred in the council amendments to H. B's Nos. 20 and 28, and bills as amended were ordered enrolled.

H. B. No. 63 was ordered enrolled.

Bills were introduced as follows:

By Seligman—H. B. No. 97, "A bill for an act to enable Wm. Henry Smith to change his name to Wm. Henry Gavin."

Read first and second times, the rules were suspended, the bill considered engrossed, and passed to a third reading.

By Fisk—H. B. No. 98, "A bill for an act concerning public printing."

Read first time and laid upon the table for second reading.

On motion of Mr. Baldwin the house took a recess until 2. p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The house refused to concur in council amendments to H. B. No. 56, and asked for a committee of conference.

The chair appointed as such committee on the part of the house Messrs. Biddle, Holt and Baldwin.

Bills were introduced as follows:

By Kohrs—H. B. No. 99, "An act to amend an act entitled an act to authorize school trustees to issue bonds to build or provide school houses.

Read first and second times and referred to the committee on education and labor.

By Potts—H. B. No. 100, "A bill for an act concerning the en-acting and repealing of statutes."

Read first and second times and referred to the committee on judiciary.

By Eastman—H. B. No. 101, "A bill for an act for the construction of the Thompson's Falls and Murrayville wagon road."

Read first and second times and referred to the committee on roads and highways.

By Forbis—H. B. No. 102, "A bill for an act to enable the counties of Gallatin and Silver Bow to aid in the construction of a railroad."

Read first time and laid upon the table for second reading.

By Wells—H. B. No. 103, "An act to incorporate the city of Dillon."

Rules suspended, the bill was read first and second times by title and referred to the committee on incorporations.

By Taylor—H. B. No. 104, "A bill for an act to annex school district number 25, Choteau county, to school district number 8, Lewis and Clarke county, for school purposes."

Read first and second times and referred to the committee on education and labor.

By unanimous consent Forbis introduced H. B. No. 105, "A bill for an act to amend an act to incorporate the town of Butte."

Read first and second times and referred to a select committee, consisting of the members from Silver Bow county.

By Page—H. J. M. No. 3, "Concerning the repeal of the desert land act."

Read first and second times and referred to the committee on public lands.

Mr. Fisk moved to reconsider the vote by which H. B. No. 60 was indefinitely postponed.

Mr. Nichols moved that the motion to reconsider be laid on the table.

Nichols' motion carried by the following vote :

Ayes—Biddle, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Wells.—13.

Noes—Baldwin, Eastman, Emigh, Fisk, Forbis, Jnrgens, Sloan, Speer, Taylor, Tingle, Mr. Speaker.—11.

H. J. R. No. 9 was read a third time and passed by the following vote:

Ayes—Baldwin, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Page, Seligman, Sloan, Speer, Taylor, Mr. Speaker.—16.

Noes—Biddle, Eastman, Norton, Perkins, Potts, Robinson, Tingle, Wells,—8.

Title agreed to.

H. B. No. 97 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Robinson, Seligman, Sloan, Speer, Taylor, Tingle. Mr. Speaker.—19.

Noes—Eastman, Kohrs, Perkins, Potts, Wells,—5.

Title agreed to.

H. B. No. 66 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—18.

Noes—Eastman, Emigh, Fisk, Norton, Speer,—5.

Absent—Sloan,—1.

Title agreed to.

H. B. No. 92 was read a third time.

Emigh moved a call of the house. A call was commenced and was, on motion of Seligman, dispensed with by the following vote:

Ayes—Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Robinson, Seligman, Tingle, Wells.—15.

Noes—Emigh, Fisk, Sloan, Taylor, Mr. Speaker —5.

Absent—Baldwin, Perkins, Potts, Speer.—4.

Baldwin moved to adjourn.

Motion lost.

Mr. Callaway moved a call of the house. A call was had.

Absent—Potts, Speer.

The absentees appeared in their seats and a further call was dispensed with.

H. B. No. 92 was lost by the following vote:

Ayes—Eastman, Emigh, Fisk, Sloan, Speer.—5.

Noes—Baldwin, Biddle, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker—19.

On motion of Mr. Jurgens the house took a recess until 7:30 p. m.

7:30 p. m., house resumed.

Mr. Forbis in the chair.

Roll called—quorum present.

C. B No. 61 was read a third time and lost by the following vote:

Ayes—Biddle, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Potts, Robinson, Seligman.—10.

Noes—Baldwin, Eastman, Emigh, Fisk, Forbis, Jurgens, Page, Perkins, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—13.

Absent—Speer.—1.

C. J. M. No. 2 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Speer.—1.

Title agreed to.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Seligman, chairman of the committee of the whole, was granted time in which to make his report.

On motion of Mr. Jurgens the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTH-FOURTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., March 6, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Speer.

Prayer by the chaplain.

Journal of the fifty third day read and approved.

The following communication was received:

COUNCIL CHAMBER,

Helena, Montana, March 5, 1885,

Mr. Speaker:

I am directed by the council to inform your honorable body that the council has agreed to amendments to H. B. No. 3, offered by conference committee.

Fergus gave notice of a bill in relation to the taxation of mines.

Bill and resolutions were introduced as follows:

By Buck—C. B. No. 85, "A bill for an act to authorize and enable the county of Lewis and Clarke and the county of Choteau, Montana territory, to aid in the construction of a railroad to be built between Helena in the county of Lewis and Clarke and Benton in the county of Choteau."

By Morris—C. J. R. No. 7, "For the relief of Edmund W. Bach."

By Chessman—C. J. R. No. 8, "For the relief of George Bashaw, J. H. McFarland and J. W. O'Neill."

The council concurs in house amendments to C. B. No. 58.

The council refused to concur in house amendments to C. B. No. 53, and respectfully asks the house to recede.

The president announced the signing of C. J. R. No. 2 and H. J. resolutions Nos. 8 and 11 and H. B. No. 26.

The vote by which H. B. No. 32 passed the council, was reconsidered: The question being put "shall this bill pass notwithstanding the objections of the governor?" The bill failing to receive a vote equal to two-thirds was declared lost.

The president appointed as a conference committee on the part of the council on H. B. No. 56, Messrs. Mitchell, Cotant and Cardwell.

Council bills 64, 70, 72 and C. J. R. No. 7, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

The following reports were received:

Mr. Speaker:

The committee of conference of the two houses, on H. B. No. 3, A bill for an act to punish and suppress prize fighting in the territory of Montana, having considered the same, report the bill back and recommend that the house concur in council amendments, except the striking out sections 3 and 4, and that said sections be amended to read as follows: Insert section 3 and 4.

B. F. PORTS, Chairman on part of house and council.

Report adopted and bill ordered enrolled as amended.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that they have examined H. B. No. 28 and H. B. No. 63, and find same correctly enrolled which are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. Bs. Nos. 28 and 63.

Mr. Speaker:

Your committee of the whole house to whom was referred H. B. No. 57, having had the same under consideration, beg leave to report the same back with the accompanying amendments, and recommend that, when so amended, said bill do pass.

A. J. SELIGMAN, Chairman.

Report adopted, and bill as amended ordered engrossed.

Mr. Speaker:

Your committee of the whole house to whom was referred H. B. No. 76, "A bill for an act to establish a hospital for the insane," having had the same under consideration, beg leave to report the same back with the accompanying amendments and recommend that when so amended the same do pass.

A. J. SELIGMAN, Chairman.

Report as amended, was adopted.

Bill ordered engrossed as amended.

Mr. Speaker:

Your committee on engrossment to whom was referred, council bill No. 27, report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 44 report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 36 report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 82 report the same back correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 62 beg leave to report that they have examined the same and find house amendments correctly engrossed.

NICHOLS, Chairman.

C. B's Nos. 27, 44 and 62, and H. B. No. 82, were passed to a third reading.

The following communications were received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 6, 1885.

To the House of Representatives :

I have the honor to inform the house of representatives that I have this day signed H. B. No. 73 and H. J. R's Nos. 8 and 11.

Very respectfully,

B. P. CARPENTER.

EXECUTIVE OFFICE,
Helena, Montana, March 6, 1885.

To the House of Representatives :

I herewith return to the house of representatives H. B. No. 1, entitled "An act relating to notaries public."

My objections are as follows :

Objection 1. It is not certain from the words of the bill that notaries public hereafter appointed would be limited in the discharge of their official duties to the counties of their respective residences.

If they could take affidavits and acknowledgments throughout the territory they would be county officers in name and territorial

officers in effect. In that case they could be legally appointed only by and with the advice and consent of the legislative council.

By section 921 of chapter 47 of fifth division of the revised statutes "Every notary public whose commission is unexpired at the date of the passage of this chapter shall be empowered to act as notary for the entire territory of Montana, as fully as though he had been commissioned under this chapter."

That section it is not proposed to repeal, and the latter clause expresses the intention that all notaries shall act for the entire territory of Montana.

Neither section 1 of this bill nor any section of said chapter prescribes in terms that notaries public shall act only in the counties for which they are appointed.

If in an attempt to harmonize the proposed sections 909 and 921 it should be held that there is a limitation only as to the residence of the notary public, and not as to the place for the discharge of official duty, the provision as to future appointments would be in violation of the organic act.

Objection 2. If this bill should become a law section 909 of said chapter, as it now reads, would be repealed, and section 909, as amended, would take its place.

The repeal of section 909 would legislate out of office nearly 400 notaries public who have been appointed during the present session of the legislative assembly, unless there is a sufficient saving clause in the bill. If there is any saving clause it must be found in section 2, which authorizes notaries "appointed before the passage of this act" to file their commissions and receive certificates of official character. But it is difficult to see how section 2 would continue the present notaries in office. Their tenure surely is not intended to be indefinite and unlimited. The tenure cannot be for three years, because the three years' term is abolished by the amendment to section 909. It cannot be for two years, for that term applies only to future appointments. No other term is provided for any notary. The logical conclusion is that officers who hold their offices for no time at all must instantly cease to be officers.

Objection 3. If notaries already appointed are to be continued in office by this bill it is a serious question whether they could act for the whole territory or only in the counties of their respective residences.

To these objections I venture to add that every law should be so plain and clear that the officer or citizen will have no difficulty in determining his rights, powers, duties and liabilities under it.

To avoid doubt and confusion an act changing the method of appointing notaries should provide—

First. That notaries public already in office should continue in office until the expiration of the term for which they were appointed.

Second. That notaries public should hereafter act only in the counties in which they resided at the time of the passage of the act or at the time of appointment.

Third. That the term should be three years (or some other uniform term) for all.

Very respectfully,
B. P. CARPENTER, Governor.

On motion of Forbis the vote by which H. B. No. 1 passed the house was reconsidered.

The question being put "Shall this bill pass, the objections of the governor to the contrary notwithstanding," the bill was lost by the following vote:

Ayes—None.

Noes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—20.

Absent—Baldwin, Norton, Sloan, Speer.—4.

The following reports were received:

Mr. Speaker:

A majority of your committee on public lands to whom was referred H. J. M. No. 3, concerning the repeal of the desert land act of March 3, 1877, beg leave to report the same back to the house and recommend that it do pass.

PAGE.
NORTON.
TAYLOR.
EMIGH.

Memorial laid on table.

Mr. Speaker:

Your committee on education and labor having considered H. B.

No. 104, "A bill for an act annexing school district number 2, Choctaw county, to school district number 8, Lewis and Clarke county, for school purposes," herewith report the same and recommend its passage.

WELLS, Chairman.

Report adopted. Bill ordered engrossed.

Mr. Speaker:

Your committee on towns and counties to whom was referred certain petitions from several counties, beg leave to refer the same back to the house and ask to be relieved from further consideration of the same.

NORTON, Chairman.

Petitions placed on file.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 21, "An act to prevent double taxation," herewith transmit the same, with substitute offered by the author of the original. Your committee return both without recommendation, and beg leave to be relieved from further consideration of the same.

HATCH, Chairman.

Bill and substitute placed on general orders.

Mr. Speaker:

Your select committee consisting of members from Silver Bow county have had under consideration H. B. No 105, herewith report the same back with the recommendation that the same do pass.

BALDWIN.

FORBIS.

Report adopted, the rules were suspended, the bill reconsidered engrossed and passed to a third reading.

Notices of the introduction of bills were given as follows :

Mr. Speaker:

I will on to-morrow or some subsequent day ask leave to introduce a bill for an act to limit the compensation of justices of the peace and constables.

FORBIS.

Mr. Speaker:

I hereby give notice that I will on to-morrow or some subsequent day introduce a bill for an act to provide for the levy and collection of taxes upon the property of railroad companies in this territory.

PERKINS.

On motion of Mr. Biddle C. B. No. 42 was taken from the table.

Mr. Speaker :

I offer the following amends to C. B. No. 42, by substituting the following for section 69, and add section 70, and change the number of section 69 to 71.

EMIGH.

Amendments adopted and ordered engrossed.

Mr. Speaker :

I move that hereafter the time of debate during the sessions of the house and in the committee of the whole be limited to five minutes for each member at any one time'

A. J. SELIGMAN.

Motion lost by the following vote :

Ayes—Biddle, Hatch, Moore, Norton, Page, Seligman.—6.

Noes—Baldwin, Eastman, Emigh; Fisk, Forbis, Holt, Jurgens, Kohrs, Nichols, Perkins, Potts, Robinson, Sloan, Taylor, Tingle, Mr. Speaker.—16.

Absent—Speer, Wells.—2.

The following report was received :

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 61 report the same back correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

By unanimous consent Mr. Forbis introduced H. B. No. 106, "A bill for an act to limit the compensation of justices of the peace and constables."

Read first and second times and referred to the committee on territorial affairs.

C. J. R. No. 7, "For the relief of Edmund W. Bach," was read first and second times, the rules were suspended, and the resolution passed to a third reading.

C. B. No. 72, "A bill for an act to provide for the support and maintenance of the Anaconda fire department," was read first and second times and referred to a select committee consisting of the members from Deer Lodge county.

Substitute for C. B. No. 64, "A bill for an act to facilitate the service of process upon personal property, and the transfer thereof

in certain cases," was read first and second times and referred to the committee on judiciary.

C. B. No. 24, "An act to provide for the posting of estrays in this territory," was read first time and laid on the table for second reading.

C. B. No. 38, "An act to amend an act entitled an act to establish a series of text books for the public schools, approved February 23, 1881," under a suspension of the rules was read first and second times by title and referred to the committee on education and labor.

C. B. No. 50, "An act to amend an act entitled an act to incorporate the city of Fort Benton," was referred to a select committee consisting of Mr. Taylor.

C. B. No. 70, "A bill for an act to incorporate the city of Miles," was read first and second times and referred to a select committee consisting of the members from Custer county.

On motion of Mr. Seligman the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent—Speer.

By unanimous consent Mr. Tingle introduced H. B. No. 107, "A bill for an act to authorize the county of Dawson to issue bonds for certain purposes."

Read first and second times, the rules were suspended, the bill considered engrossed and passed to a third reading.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 6, 1885.

Mr. Speaker:

By direction of the council I herewith transmit to you a copy of the report of the joint committee to examine the books of the auditor and treasurer.

DAVID MARKS, Chief Clerk.

Report was laid on the table for the information of the members.

The following report was received.

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B. No. 45, and find the same correctly enrolled, and the bill is herewith presented to the speaker of the house for his signature.

HATCH.
EASTMAN.

Mr. Speaker announced that he was now about to sign H. B. No. 45.

H. B. No. 102 was read second time and referred to a select committee consisting of the members from Silver Bow, Gallatin, Madison, and Jefferson counties.

The following report was received :

Mr. Speaker :

Having considered C. B. No. 50 I herewith report the same back to the house with the accompanying amendments, and recommend the adoption of such amendments and that as so amended said bill do pass.

J. F. TAYLOR.

Report adopted and amendments ordered engrossed.

H. B. No. 98 was read a second time and referred to the committee on printing.

By unanimous consent Mr. Potts introduced H. B. No. 108, "A bill for an act to amend section 32 of an act regulating insurance companies, approved March 8, 1883."

Read first and second times, the rules were suspended, the bill considered engrossed, and passed to a third reading.

H. B. No. 107 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—22

Noes—None.

Absent—Holt, Speer.—2.

Title agreed to.

H. B. No. 108 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Holt, Speer.—2.

Title agreed to.

H. B. No. 82 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Holt, Speer, Tingle.—3.

Title agreed to.

The rules were suspended, H. B. No. 105 was read a third time by title, and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—21.

Noes—None.

Absent—Emigh, Holt, Speer.—3.

Title agreed to.

Substitute for H. B. No. 61 was read a third time.

Tingle moved a call of the house. A call was had.

Absent—Biddle, Emigh, Fisk, Holt, Nichols, Speer.

Biddle, Emigh, Fisk, Nichols appeared in their seats and a further call was dispensed with.

Substitute for H. B. No. 61 was lost by the following vote:

Ayes—Eastman, Emigh, Fisk, Forbis, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—9.

Noes—Baldwin, Biddle, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman.—13.

Absent—Holt, Speer.—2.

The following reports were received:

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 50 beg leave to report that they have examined the same and find amendments correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 93 beg leave to report that they have examined the same and find it correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 12 report the same back correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

Mr. Speaker:

Your committee on enrollment beg leave to report that H. B. No. 20 has been correctly enrolled and is herewith presented to the speaker of the house for his signature.

TINGLE, Chairman.

Mr. Speaker announced that he was now about to sign H. B. No. 20.

H. B. No. 12 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—20.

Noes—Emigh.—1.

Absent—Holt, Speer, Wells.—3.

Title agreed to.

The rules were suspended and H. B. No. 93 was read a third time by title.

Fisk moved that the bill be recommitted to a select committee with instructions.

On motion of Seligman the motion to recommit was laid on the table.

H. B. No. 93 was passed by the following vote :

Ayes—Baldwin, Biddle, Forbis, Hatch, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Tingle, Mr. Speaker.—15.

Noes—Eastman, Emigh, Fisk, Jurgens, Sloan, Taylor.—6.

Absent—Holt, Speer, Wells.—3.

Title agreed to,

The following report was received :

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 77 report the same back correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

H. B. No. 77 was read a third time and passed by the following vote :

Ayes—Baldwin, Eastman, Emigh, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—19.

Noes—None.

Absent—Biddle, Fisk, Holt, Speer, Wells.—5.

Title agreed to.

Sloan moved a call of the house. A call was had. Absent—Emigh, Fisk, Forbis, Nichols, Seligman.

The absentees appeared in their seats and a further call was dispensed with.

On motion of Forbis the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 7, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the fifty-fourth day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 6, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that the council recedes from its amendments to H. B. No. 56, and the bill is herewith transmitted.

The governor has signed C. Bs. Nos. 33, 34, 48 and 54 and C. J. R. No. 2.

Notices of the introduction of bills were given as follows :

By Green—"A bill entitled an act to form the county of Bridgre, the proposition to be left to vote of the qualified voters of Gallatin county."

By Mitchell—"A bill for an act to prevent the poisoning of water courses."

H. Bs. 56 and 97, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

H. B's Nos. 56 and 97 were ordered enrolled.

The following reports were received :

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 57, report it back with substitute correctly engrossed.

NICHOLS, Chairman.

Mr. Speaker :

Your committee on engrossment, to whom was referred C. B. No. 42, report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

Mr. Speaker :

Your committee on printing to whom was referred H. B. No. 98, an act concerning printing, have had the same under consideration, and beg leave to report it back with amendments, and recommend that as amended the bill do pass.

We find that the chief justice of Montana has decided that the present law on our statute has expired by limitation, and that the

territorial officers and different boards of county commissioners in the territory have governed themselves in accordance with this decision, and have given the printing to whom they saw fit. In some of the counties the law is still recognized, and confusion and litigation have been the consequence. The Press Association of Montana, which recently held its session in Helena, respectfully requested the legislature to pass a new printing law. House bill No. 98, was prepared by a committee appointed by the Press Association. As ammended we believe it to be a good bill, and if it shall become a law, will greatly reduce the expenses of the territory and counties in the matter of public printing, and give general satisfaction to the public.

FISK, Chairman.

Report received, and bill with amendments placed on general orders.

C. B. No. 50, was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Potts, Seligman, Sloan, Taylor, Tingle, Wells.—20.

Noes—Robinson, Speer, Mr. Speaker.—3.

Absent—Nichols.—1.

Title agreed to.

C. J. R. No. 7 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Speer, Taylor, Tingle, Wells and Mr. Speaker.—24.

Noes—None.

Title agreed to.

C. B. No. 62 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker.—23.

Noes—Speer.—1.

Title agreed to.

C. B. No. 44 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—23.

Noes—Speer.—1.

Title agreed to.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report they have examined H. B. No. 3, and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE, Chairman.

Mr Speaker announced that he was now about to sign H. B. No. 3.

Substitute for C. B. No. 27 was read a third time.

Hatch moved a call of the house.

A call was had—Absent, Baldwin.

Baldwin appeared in his seat, and a further call was dispensed with.

On motion of Mr. Hatch, C. B. No. 27 was re-referred to a select committee consisting of the members from Meagher and Choteau counties, by the following vote.

Ayes—Biddle, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Tingle, Wells, Mr. Speaker.—17.

Noes—Baldwin, Eastman, Emigh, Fisk, Sloan, Speer, Taylor.—7.

The following reports were received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 97, and find same correctly enrolled which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that they have examined C. B. No. 56, and C. J. M. No. 2, and C. J. R. No. 5, which C. B. No. 56, and C. J. M. No. 2, and C. J. R. No. 5, are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign C. B. No. 56, C. J. M. No. 2 and C. J. R. No. 5 and H. B. No. 97.

On motion of Mr. Forbis, the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following reports were received:

Mr. Speaker:

Your select committee to whom was re-referred C. B. No. 27, an act to create the county of Fergus. By amending the same, by striking out all that part relating to Choteau county, have preformed their labor, and herewith transmit the bill as it passed the council, with the single ammendment, approved by the house, regarding the adjustment of indebtedness as between Meagher and Fergus counties.

HATCH.

TAYLOR.

MOORE.

Bill passed to a third reading.

Baldwin moved a call of the house.

A call was had. Absent—Eastman and Emigh.

The absentees appeared in their seats and a further call was dispensed with.

Mr. Speaker:

Your select committee to whom was referred C. B. No. 70, "A bill for an act to incorporate the city of Miles," beg leave to report the same with the recommendation that it do pass.

HOLT.

BIDDLE.

Mr. Speaker:

Your select committee to whom was referred C. B. No. 72, hav-

ing had the same under consideration, ask leave to report the same back recommending that it do pass.

C. KOHRS.
F. L. PERKINS.

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 88 report the same back correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

Substitute for C. B. No. 27 was passed by the following vote :

Ayes—Biddle, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Robinson, Seligman, Sloan, Wells, Mr. Speaker.—14.

Noes—Baldwin, Eastman, Emigh, Fisk, Jurgens, Perkins, Potts, Speer, Taylor, Tingle.—10.

Title agreed to.

C. B. No. 42 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Seligman, Taylor, Tingle, Wells.—17.

Noes—Nichols, Potts, Robinson, Mr. Speaker—4.

Absent—Fisk, Sloan, Speer.—3.

Title agreed to.

The following communication was received :

COUNCIL CHAMBER,
Helena, M. T., March 7, 1885.

Mr. Speaker :

As per request of your honorable body I am directed by the council to return to you H. B. No. 102.

DAVID MARKS, Chief Clerk.

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 104 report the same back correctly engrossed.

NICHOLS, Chairman

Bill passed to a third reading.

C. B. No. 72 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—21.

Noes—None.

Absent—Fisk, Speer, Wells.—3.

Title agreed to.

The following report was received:

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B. No. 56 and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 56.

The rules were suspended, C. B. No. 70 was read a third time by title, and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Seligman, Sloan, Taylor, Tingle, Wells.—18.

Noes—Nichols, Potts, Robinson, Mr. Speaker.—4.

Absent—Fisk, Speer.—2.

Title agreed to.

Mr. Robinson moved that H. B. No. 72 be taken from general orders, the bill be considered engrossed and passed to a third reading.

Motion lost by the following vote:

Ayes—Holt, Kohrs, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—7.

Noes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Moore, Nichols, Norton, Page, Perkins, Seligman, Sloan, Wells.—16.

Absent—Speer.—1.

H. B. No. 104 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Speer, Tingle.—2.

Title agreed to.

H. B. No. 88 was read a third time and lost by the following vote:

Ayes—Emigh, Fisk, Jurgens, Sloan, Wells.—5.

Noes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Mr. Speaker.—18.

Absent—Speer.—1.

Sloan gave notice that he would on Monday or some subsequent day move to reconsider the vote by which C. B. No. 27 passed.

Substitute for H. B. No. 57 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Fisk, Forbis, Jurgens, Sloan.—4.

Absent—Speer.—1.

Title agreed to.

The following report was received:

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 76 report the same back correctly engrossed.

NICHOLS, Chairman.

H. B. No. 76 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Emigh, Kohrs, Sloan.—3.

Absent—Fisk, Speer.—2.

Title agreed to.

By unanimous consent the following resolution and bill were introduced:

By Norton—H. J. R. No. 12, "For the the organization of the state of Montana under its constitution, and for the election of two senators to congress.

Read first and second times and referred to the committee on federal relations.

By Page—H. B. No. 109, "An act to amend section 13 of an act entitled an act to protect game, fur-bearing animals and fish, approved March 8, 1883."

Read first and second times, the rules were suspended, the bill considered engrossed and passed to a third reading.

Read third time by title and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Kohrs, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Hatch, Jurgens, Perkins, Sloan.—4.

Absent—Speer.—1.

Title agreed to.

On motion of Mr. Forbis the house receded from its amendments to C. B. No, 53.

On motion of Mr. Seligman the house took a recess until 7:30 p. m.

7:30 p. m., house resumed.

Mr. Potts in the chair.

Roll called—quorum present.

The following report was received:

Mr. Speaker :

The committee on ways and means to whom was referred H. B. No. 87 beg leave to report the same back to the house with the accompanying amendments, and with the recommendation that as so amended the bill do pass.

B. F. POTTS, Chairman.

Report adopted. Bill ordered engrossed as amended.

By unanimous consent the following bills were introduced:

By Emigh—H. B. No. 110, "An act to enable school district No. 1 of Missoula county to build a school house at Corvallis."

Read first and second times and referred to the committee on education and labor.

By Forbis—H. B. No. 111, "A bill for an act relating to notaries public."

Read first and second times, the rules were suspended, the bill considered engrossed and passed to a third reading.

Read third time by title and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Potts, Robinson, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—None.

Absent—Holt, Nichols, Seligman, Speer.—4.

Title agreed to.

Notices of the introduction of bills were given as follows :

Mr. Speaker :

I hereby give notice that I will on to-morrow or some subsequent day I will introduce a bill to regulate the use of oleomargarine and suine by hotels and other public eating houses in the territory of Montana.

FISK.

Mr. Speaker :

I hereby give notice I will to-morrow or some subsequent day of the session introduce a bill for an act entitled "An act relating to the appointment of game wardens."

WELLS.

Mr. Speaker :

I hereby give notice that I will to-morrow or on some subsequent day of the session introduce a bill for an act entitled "An act to amend an act approved March 8, 1883, an act to protect game, fur-bearing animals and fish.

WELLS.

Mr. Speaker :

I hereby give notice that I will on to-morrow or some future day introduce a bill for an act to enable the county commissioners of Lewis and Clarke county to erect a court house.

JURGENS.

By unanimous consent Perkins introduced H. B. No. 112, "A bill for an act to provide for the levy and collection of taxes upon the property of railroads in this territory."

Read first and second times and referred to the committee on ways and means.

The following report was received :

Mr. Speaker :

Your committee on roads and highways ask leave to report that that they have had under consideration H. B. No. 101, "A bill for an act providing for the construction of a wagon road from Thompson's Falls to Murrayville," do respectfully report the same back to the house with the accompanying amendments and recommend that the same do pass as amended.

JURGENS, Chairman.

Bill and amendments placed on general orders.

On motion of Mr. Robinson the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTH-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 9, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Prayer by the chaplain.

Journal of the fifty-fifty day read and approved.

The following communication was received.

COUNCIL CHAMBER,
Helena, Montana, March 7, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that council concurred in house amendments to C. B. No. 36.

Bills were introduced as follows :

By Mitchell—C. B. No. 86, "Bill for an act to prevent the poisoning of water courses."

By Green—C. B. No. 87, "An act to create the county of Bridger and the election of officers thereof," was read first and second times and laid on the table.

The president announced the signing of H. B's Nos. 28 45 and 63.

The council concurred in house amendments to C. B's 50 and 62.

H. B's 62 as amended, H. B's 84, 91, 93, C. J. R. No. 4, substitute for C. B. No. 3 and C. B. No. 76, have passed the council and are herewith transmitted.

C. J. R. No. 8 and C. B's 83 and 84 were read a third time and lost.

DAVID MARKS, Chief Clerk.

H B's Nos. 84, 91 and 93 were ordered enrolled.

The house consurred in Council amendments to H. B. No. 62, bill as amended ordered enrolled.

The rules were suspended, C. J. R. No. 4, was read first and second times by title, and referred to the committee on ways and means.

The rules were suspended, substitute for C. B. No. 3 was read first and second times by title.

Fisk moved that the bill be referred to the committee on printing.

Motion lost by the following vote.

Ayes—Eastman, Emigh, Fisk, Jurgens, Norton, Sloan and Mr. Speaker.—7.

Noes—Biddle, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle and Wells.—15.

Absent—Baldwin and Speer.—2.

The bill was referred to the committee on ways and means.

The rules were suspended, H. B. No. 98 taken from general orders and referred to the committee on ways and means.

On motion of Mr. Norton, the committee on Ways and means, were instructed to report C. J. R. No. 4, substitute for C. B. No. 3 and H. B. No. 98 back to the house at 10:30 a. m. to-morrow.

Leave of absence was granted Mr. Speer for the balance of the session.

The following reports were received:

Mr. Speaker:

The judiciary committee to whom was referred H. B. No. 55, have had the same under consideration and the committee are of the opinion that there is no legal responsibility on part of the territory to refund to Messrs. Baldwin and Davidson, any damages sustained by them as set forth in the bill, nor is there any obligation on part of the territory, to pay the amount claimed unless it shall be shown that the territory is obligated morally to assume payment thereof. As to the justice of the claim the committee have not inquired into the facts and express no opinion.

POTTS.
FORBIS.
BALDWIN.

Report received, bill placed on general orders.

Mr. Speaker:

The committee on the judiciary to whom was referred, C. B. No. 74, A bill for an act to amend section 447, 5th division of the general laws of Montana, having had the same under consideration, report the bill back and recommend its passage.

B. F. POTTS.
FORBIS.
BALDWIN.
W. O. SPEER.

Bill passed to a third reading.

Mr. Speaker:

The committee on judiciary to whom was referred C. B. No. 64, A bill for an act to facilitate the service of process upon personal property and the transfer thereof in certain cases, having had the same under consideration, report the bill back with the following amendments and recommend the adoption of the amendment and the passage of the bill when so amended.

AMENDMENT.

Insert in line 14 of the bill after the word *thereto*, the words, "containing the number as near as may be and a description of said stock by marks and brands."

B. F. POTTS.
FORBIS.
BALDWIN.
W. O. SPEER.

Report adopted, amendments ordered engrossed.

Mr. Speaker:

Your committee on judiciary to whom was referred H. B. No. 100, entitled "an act concerning the enacting and repealing of statutes

was referred, beg leave to report, that they have duly considered the same and recommend that said bill do pass.

W. O. SPEER.

FORBIS.

B. F. POTTS.

CLYDE EASTMAN.

J. T. BALDWIN.

The rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 106, A bill for an act to limit the compensation of justices of the peace and constables.

Having examined the same, herewith refer it back to the house, recommending its passage.

HATCH, Chairman.

Forbis moved that the rules be suspended, the bill considered engrossed and passed to a third reading.

The motion prevailed by the following vote :

Ayes—Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Norton, Page, Perkins, Potts, Robinson, Seligman, Tingle.—15.

Noes—Baldwin, Fisk, Moore, Sloan, Taylor, Wells, Mr. Speaker—7.

Absent—Nichols, Speer.—2.

Mr. Speaker:

Your committee on territorial affairs to whom was referred H. B. No. 89, An act for the erection of the Montana penitentiary and for other purposes, respectfully report the same back to the house without recommendation. Your committee found much merit in the bill, but owing to the lateness in the session, and the fact of having passed a bill providing for the maintenance of our territorial prisoners, make the above report.

HATCH, Chairman.

Bill indefinitely postponed.

Mr. Speaker:

Your committee on federal relations to which was referred H. J. R. No. 12, for the organization of the state of Montana under its constitution and for the election of two senators to congress, have had the same under consideration and respectfully report the

same back to the house with the accompanying substitute to be adopted in lieu of the original resolution, and that the said substitute do pass. All of which is respectfully submitted.

NICHOLS.
TINGLE,
BIDDLE.
EASTMAN.

Report adopted, the rules were suspended, the bill considered engrossed, and made a special order for 8 o'clock p. m. this evening.

Mr. Speaker:

Your committee on education and labor having considered H. B. No. 99. A bill for an act to amend an act entitled "An act to authorize school trustees to issue bonds to build or provide school houses," report the same herewith and recommend its passage.

WELLS, Chairman.

Mr. Speaker:

Your committee on education and labor herewith report H. B. No. 110 and recommend its passage.

WELLS, Chairman.

The rules were suspended, the bills considered engrossed, and passed to a third reading.

Mr. Speaker:

A majority of your committee on education and labor to whom was referred C. B. No. 38, "A bill for an act to amend an act entitled an act to establish a series of text books for the public schools," report the same herewith, with amendments, and recommend that the bill so amended do pass.

WELLS, Chairman.
SELIGMAN.
NORTON.
BIDDLE.

Bill and amendments placed on general orders.

Mr. Speaker:

Your committee on incorporations, having had H. B. No. 103 under consideration, beg leave to report the same back with the recommendation that it do pass.

F. L. PERKINS, Chairman.

The rules were suspended, the bill considered engrossed and passed to a third reading.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed.

Mr. Speaker in the chair

Mr. Seligman, chairman of the committee of the whole, reported progress and asked leave to sit again.

The following report was received:

Mr. Speaker:

In obedience to the direction of the house the committee on ways and means have examined the miscellaneous library and beg leave to report that the room occupied is on the second floor, very inconvenient of access, and the rent paid by the territory exorbitant.

The committee are also of the opinion that the rent of the room occupied by the law library is excessive and unreasonable in amount and that suitable rooms, more convenient, can be procured for both of said libraries at a rental not exceeding one half the present cost.

TINGLE, for Committee.

On motion of Mr. Taylor the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Mr. Taylor moved a call of the house. A call was had. Absent—Baldwin, Forbis, Kohrs, Perkins, Potts, Wells.

The absentees appeared in their seats and a further call was dispensed with.

By unanimous consent Mr. Jurgens introduced H. B. No. 113, "A bill for an act to enable the county of Lewis and Clarke to erect a court house."

The rules were suspended, the bill read first and second times by title and referred to a select committee consisting of the members from Lewis and Clarke, and the joint member from Lewis and Clarke and Jefferson.

The following reports were received :

Mr. Speaker:

Your committee on engrossment to whom was referred C. B. No. 87 report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H. B's Nos. 63, 28, 3, 56, 20, 97, and 45, and C. B. No. 56, and C. J. R. No. 5 were presented by said committee to the governor for his approval on the ninth day of March, 1885, at 11:30 a. m.

TINGLE, Chairman of House Com.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 84 and 93, and C. J. M. No. 2, and find same correctly enrolled, which bills and memorial are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 84 and 93 and C. J. M. No. 2.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Seligman in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Seligman, chairman of the committee of the whole, was granted time in which to make his report.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 62 and 91 and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 62 and 91.

On motion of Mr. Fisk the house took a recess until 7:30 p. m.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

On motion of Mr. Tingle the house took a recess for twenty minutes.

House resumed.

Mr. Speaker in the chair.

On motion of Mr. Baldwin H. J. R. No. 12 was made a special order of business for 10:30 a. m. to-morrow.

The following reports were received:

Mr. Speaker:

Your committee of the whole having had under consideration C. B. No. 67, "An act in relation to road taxes and to repeal sections 1070 to 1076 inclusive, and 1078 of the fifth division of the revised statutes," report same back to the house and recommend that it do pass.

A. J. SELIGMAN.

Mr. Speaker:

Your committee of the whole having had under consideration C. B. No. 69, "A bill for an act for the appointment of road supervisors and defining their duties," report same back to the house and recommend it do not pass.

A. J. SELIGMAN.

Mr. Speaker:

Your committee of the whole having had under consideration C. B. No. 45, "A bill for an act authorizing county commissioners to award contracts for keeping roads in repair," report same back with amendments and recommend that it do not pass.

SELIGMAN.

Reports and bills laid on the table temporarily.

Mr. Speaker:

Your committee of the whole having had under consideration H. B. No. 90, "An act to protect gas-light and water companies," report same back to the house and recommend that it do pass.

SELIGMAN.

Report adopted and the bill ordered engrossed.

Mr. Speaker:

Your committee of the whole having had under consideration H.

B. No. 41 and substitute, "An act concerning private corporations," report same back to the house with recommendation that both be indefinitely postponed.

SELIGMAN.

Report adopted, and bill and substitute indefinitely postponed.

Mr. Speaker:

Your committee of the whole having had under consideration C. B. No. 52, "An act to prevent woman beating in the territory of Montana," report same back to the house with recommendation that it be indefinitely postponed.

SELIGMAN.

Report adopted and the bill indefinitely postponed by the following vote:

Ayes—Eastman, Forbis, Hatch, Jurgens, Kohrs, Nichols, Norton, Perkins, Robinson, Seligman, Tingle,—11.

Noes—Baldwin, Emigh, Fisk, Moore, Page, Potts, Sloan, Taylor, Wells, Mr. Speaker.—10.

Absent—Biddle, Holt, Speer,—3.

Mr. Speaker:

Your committee of the whole having had under consideration H. B. No. 72, "A bill for an act to suppress hurdy houses and dances," report same back to house with amendment, and recommend that it do pass as amended.

SELIGMAN.

Report adopted. Bill ordered engrossed.

Mr. Speaker:

Your committee of the whole, having had under consideration C. B. No. 63, "An act to amend section 62 of chapter 4 of the fourth division of the revised statutes," report same back to the house and recommend that it do pass.

SELIGMAN.

Mr. Speaker:

Your committee of the whole, having had under consideration C. B. No. 51, "An act in relation to the presentation and auditing of accounts by county commissioners," report same back to the house with recommendation that it do pass.

SELIGMAN.

Reports adopted. Bills passed to a third reading.

On motion of Mr. Baldwin the house adjourned by the following vote:

Ayes—Baldwin, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Perkins, Potts, Robinson, Seligman, Sloan, Tingle,—14.

Noes—Biddle, Eastman, Emigh, Norton, Page, Taylor, Wells, Mr. Speaker.—8.

Absent—Holt, Speer.—2.

HARRY H. DAVIS, Chief Clerk.

FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Helena, M. T., March 10, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

Prayer by the chaplain.

Journal of the fifty seventh day read and approved.

The following reports were received.

Mr. Speaker:

Your committee of the whole having had under consideration H. B. No. 96, "A bill for an act entitled an act to amend section 1 of an act approved February 21, 1881," report same back to the house and recommend that it do pass.

SELIGMAN.

Report adopted and bill ordered engrossed.

Mr. Speaker:

Your committee of the whole having had under consideration H. B. No. 70, "An act to provide for the payment of damages to stock, and from fires occasioned by operating railroads," report same back with amendments, and recommend that as amended it do pass.

SELIGMAN, Chairman.

Report adopted and bill as amended ordered engrossed.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 9, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the council has concurred in house amendments to C. B's Nos. 44 and 27.

The president announced the signing of C. J. R. No. 5, C. B. No. 56, H. B's Nos. 3, 20, 56 and 97.

H. B. No. 47 as substituted, H. B's Nos. 15, 71, and 111, C. B's Nos. 60, 66, 75, 78, 79, 81, 82, and C. J. M. No. 3 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Mr. Tingle the consideration of the special order was postponed until 11:30 a. m.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 10, 1885.

To the House of Representatives:

I have the honor to inform your honorable body that I have this day signed H. B's Nos. 3, 20, 28, 45, 56, 63, and 97.

Very respectfully,

B. P. CARPENTER, Governor.

Mr. Fisk moved that the house do concur in council amendments to H. B. No. 47.

Motion lost by the following vote:

Ayes—Emigh Fisk, Holt, Nichols, Norton, Page, Sloan, Wells.
—8.

Noes—Biddle, Eastman Forbis, Hatch, Jurgens, Kohrs, Moore, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Mr. Speaker.
—14.

Absent—Baldwin, Speer.—2.

On motion of Mr. Forbis the house refused to concur in council amendments to H. B. No. 47.

H. B's Nos. 15, 71 and 111 were ordered enrolled.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 10, 1885.

Mr. Speaker :

I am instructed to inform your honorable body that the house amendments to C. B. No. 42, "An act to incorporate the city of Missoula," have been considered and that a substitute for said amendments has been adopted and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The house concurred in the council amendments to the house amendments to C. B. No. 42.

The following report was received :

Mr. Speaker :

Your special committee consisting of the members of Lewis and Clarke, and the joint members of Lewis and Clarke and Jefferson, to whom was referred H. B. No. 113, "An act to enable the county of Lewis and Clarke to erect a court house," have had the same under consideration and beg leave to report the same back to the house with the accompanying amendments and recommend the that same do pass as amended.

J. H. JURGENS.
A. J. SELIGMAN.
B. F. POTTS.

Bill as amended was ordered engrossed.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, reported having had under consideration H. B. No. 69, had made progress and asked leave to sit again.

The hour having arrived for which H. J. R. No. 12 was made a special order it was read a third time and brought before the house for its consideration.

On motion of Mr. Fisk the house took a recess until 2 p. m.

Two p. m., house resumed.
Mr. Speaker in the chair.
Roll called—quorum present.

The further consideration of H. J. R. No. 12 being before the house Mr. Seligman moved the previous question.

The question being stated, "Shall the previous question be now put," was lost by the following vote :

Ayes—Biddle, Eastman, Kohrs, Nichols, Page, Perkins, Potts, Seligman, Wells.—9.

Noes—Baldwin, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Robinson, Sloan, Tingle, Mr. Speaker.—12.

Absent—Norton, Speer, Taylor,—3.

Mr. Baldwin moved that the resolution be laid on the table.

Lost by the following vote :

Ayes—Baldwin, Forbis, Kohrs, Moore, Perkins, Potts, Robinson.—7.

Noes—Eastman, Emigh, Fisk, Hatch, Holt Jurgens, Norton, Page, Seligman, Sloan, Tingle, Wells, Mr. Speaker.—13.

Absent—Biddle, Nichols, Speer, Taylor.—4.

Baldwin moved a call of the house. A call was had. Absent—Forbis, Holt.

The absentees appeared in their seats and a further call was dispensed with.

H. J. R. No. 12 was passed by the following vote :

Ayes—Eastman, Emigh, Fisk, Hatch, Jurgens, Nichols, Norton, Page, Seligman, Sloan, Tingle, Wells, Mr. Speaker.—13.

Noes—Baldwin, Biddle, Forbis, Holt, Kohrs, Moore, Perkins, Potts, Robinson, Taylor,—10.

Absent—Speer.—1.

Title agreed to.

On motion of Mr. Callaway the vote by which the resolution passed was reconsidered and that motion laid on the table.

The following reports were received :

Mr. Speaker:

We of your select committee, composed of members from Silver Bow, Gallatin, Jefferson, and Madison, to whom was referred H. B. No. 102, "A bill for an act to allow the above named counties to assist in the construction of a railroad have had the same under consideration and report the same back with a substitute, and recommend that the substitute do pass.

NICHOLS.
ROBINSON.

Mr. Speaker:

We, of your select committee composed of members from Gallatin, Silver Bow, Jefferson and Madison, to whom was referred H. B. No. 102, report the same back with the recommendation that it be indefinitely postponed.

A. J. SELIGMAN.
VAN H. FISK.
SLOAN.
CALLAWAY.

Seligman moved that the reports, bill and substitute be laid on the table.

Motion lost by the following vote:

Ayes—Jurgens, Potts, Seligman, Sloan, Wells.—5.

Noes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Kohrs, Moore, Nichols, Page, Perkins, Robinson, Taylor, Tingle, Mr. Speaker.—17.

Absent—Norton, Speer.—2.

The bill and substitute were recommitted to the special committee.

Mr. Speaker:

Your joint committee on enrollment beg leave to report that C. J. R. No. 7 and C. B's Nos. 36, 44, 50, 53, 58, 62, and 72, and H. B's Nos. 62, 84, 91, and 93 were presented by said committee to the governor for his approval on March 10, 1885, at 10:40 a. m.

TINGLE.
Chairman of House Committee.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined C. J. R. No. 6 and find same correctly enrolled, which is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr Speaker announced that he was now about to sign C. J. R. No. 6.

C. B. No. 79, "An act in relation to indigent persons brought into this territory, or taken from one county to another," was read first and second times, the rules were suspended, and the bill passed to a third reading.

C. B. No. 81, "An act to provide for the teaching of a trade to indigent blind persons," was read first and second times, the rules were suspended, and the bill passed to a third reading.

C. J. M. No. 3, "Concerning the United States penitentiary in Montana," was read first and second times, the rules were suspended, and the memorial passed to a third reading.

O. B. No. 78, "An act to amend sections 455 and 1021 of the fifth division of the revised statutes of Montana," was read first and second times, the rules were suspended, and the bill passed to a third reading.

C. B. No. 82, "An act to enable the county of Missoula to build a jail," was under a suspension of the rules read first and second times by title and passed to a third reading.

C. B. No. 75, "A bill for an act requiring the publication of certain matters," was read first time and on motion of Mr. Potts was rejected.

C. B. No. 60, "An act to enable the county of Yellowstone to build a court house," was read first and second times and referred to a select committee consisting of Mr. Norton.

C. B. No. 76, "A bill for an act to amend an act entitled an act to incorporate the city of Helena, approved February 22, 1881," was under a suspension of the rules read first and second times by title and referred to a select committee consisting of the members from Lewis and Clarke, and the joint member from Lewis and Clarke and Jefferson.

C. B. No. 66, "A bill for an act requiring the publication of certain matters," was under a suspension of the rules read first and second times by title and referred to the committee on towns and counties.

On motion of Mr. Nichols the select committee to whom H. B. No. 102 was referred, was requested to report the same back to the house to-morrow at 10:30 a. m.

On motion of Eastman the chief clerk was instructed to request the council to return to the house H. B. No. 47.

The following report was received :

Mr. Speaker :

The committee on ways and means, to whom was referred C. J. R. No. 4, "For the relief of Fisk Bros.," report the same back and recommend its adoption.

POTTS, Chairman.

Report adopted and resolution passed to a third reading.

On motion of Mr. Emigh H. B. No. 101 was taken from general orders and ordered engrossed as amended.

Bills were introduced as follows:

By Fisk—H. B. No. 114, "A bill for an act to change the name of Maggie S. Rohrbaugh to Maggie S. Putnam.

Read first and second times, rules suspended, bill considered engrossed and passed to a third reading.

By Forbis—H. B. No. 115, "A bill for an act to confirm a certain deed made by the president, secretary and certain of the trustees of the Montana collegiate institute to James R. Russel, Eiko. J. Groenevelt and Duncan J. McMillan, and to confirm the title of the college of Montana to certain real estate in the town of Deer Lodge."

Read first and second times, rules suspended, bill considered engrossed and passed to third reading.

The following bills were introduced by unanimous consent.

By Biddle—H. B. No. 116, "A bill for an act supplemental of an act entitled an act to enable the board of county commissioners of Custer county to fund the county indebtedness, approved March 10, 1885."

Read first and second times, rules suspended, bill considered engrossed and passed to third reading.

By Potts—H. B. No. 117, "A bill for an act to amend section 62 of the fifth division of the revised statutes of Montana, authorizing the territorial auditor to use an engraved fac-simile of signature in issuing licenses and tax receipts."

Read first and second times, the rules were suspended, the bill considered engrossed and passed to a third reading.

By Wells—H. B. No. 118, "A bill for an act entitled an act relating to the protection of game."

Read first and second times, rules suspended, bill considered engrossed, and passed to a third reading.

By Wells—H. B. No. 119, "A bill for an act entitled an act to amend sections 1112, 1114, 1097, 1197 and 1149 of the Montana school law."

Read first and second times and referred to the committee on education and labor.

Also, H. B. No. 120, "A bill for an act entitled an act to amend section 10 of an act to protect game, fur-bearing animals and fish."

Read first and second times, rules suspended, bill considered engrossed, and passed to a third reading.

The following report was received.

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 70 report the same back correctly edgrossed.

NICHOLS, Chairman.

H. B. No. 70 was passed to a third reading.

H. B. No. 115 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Forbis, Jurgens, Kohrs' Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells.—17.

Noes—None.

Absent—Emigh, Fisk, Hatch, Holt, Sloan, Speer. Mr. Speaker.—7.

Title agreed to.

H. B. No. 116 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells.—19.

Noes—None.

Absent—Fisk, Hatch, Sloan, Speer, Mr. Speaker.—5.

Title agreed to.

H. B. No. 117 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—None.

Absent—Hatch, Nichols, Sloan, Speer.—4

Title agreed to.

H. B. No. 114 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Mr. Speaker.—20.

Noes—Wells.—1.

Absent—Nichols, Sloan, Speer.—3.

Title agreed to.

H. B. No. 118 was read a third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Hatch, Moore, Page, Perkins, Robinson, Seligman, Taylor, Wells, Mr. Speaker.—12.

Noes—Baldwin, Fisk, Jurgens, Kohrs, Potts, Tingle.—6.

Absent—Forbis, Holt, Nichols, Norton, Sloan, Speer.—6.

Title agreed to.

The rules were suspended, H. B. No. 110 was read a third time by its title, and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Perkins.—1.

Absent—Forbis, Nichols, Sloan, Speer.—4.

Title agreed to.

On motion of Mr. Baldwin the house took a recess until 7:30 p. m. this evening.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Emigh moved a call of the house. A call was had.

Absent—Baldwin, Biddle, Forbis, Hatch, Jurgens, Kohrs, Moore, Seligman, Sloan. Further call dispensed with.

H. B. No. 100 was read a third time and passed by the following vote :

Ayes—Baldwin, Eastman, Emigh, Fisk, Forbis, Hatch, Kohrs, Moore, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Holt.—1.

Absent—Biddle, Jurgens, Nichols, Speer.—4.

Title agreed to.

H. B. No. 103 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Seligman, Tingle, Wells,—17.

Noes—Potts, Robinson, Sloan, Taylor, Mr. Speaker.—5.

Absent—Forbis, Speer.—2.

Title agreed to.

H. B. No. 99 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—Fisk,—1.

Absent—Forbis, Sloan, Speer.—3.

Title agreed to.

H. B. No. 106 was read a thire time.

Mr. Baldwin moved to amend as follows :

Amend section 1 on blank line by inserting \$1,000 per annum in townships of over 3,000 inhabitants.

Motion lost by the following vote :

Ayes—Baldwin, Emigh, Fisk, Hatch, Kohrs, Nichols, Page, Perkins, Taylor, Mr. Speaker.—10.

Noes—Biddle, Eastman, Forbis, Holt, Jurgens, Moore, Norton, Potts, Robinson, Seligman, Tingle, Wells.—12.

Absent—Sloan, Speer.—2.

Bill passed by following vote :

Ayes—Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—18.

Noes—Baldwin, Emigh, Fisk, Kohrs.—4.

Absent—Sloan, Speer.—2.

Title agreed to,

The following report was received :

Mr. Speaker:

Your committee on engrossment to whom was referred H. B's Nos. 12, 90, 96, 101, and 113, beg leave to report the same back correctly engrossed.

NICHOLS, Chairman.

Bills passed to a third reading.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, March 10, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that bills were introduced as follows: By unanimous consent without having given previous notice.

By DeWolfe—C. B. No. 88, "A bill for an act to amend section 437 fifth division general laws of the revised statutes."

By Greene—C. B. No. 89, An act in relation to vacancies in the office of county commissioners.

Also, C. B. No. 90, An act to enable the county of Yellowstone to aid in the construction of a railroad."

H. B. No. 47 was laid upon the table.

C. B. No. 91 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The rules were suspended, and H. B. No. 120, was read a third time by its title and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker.—23.

Noes—None.

Absent—Speer.—1.

Title agreed to.

H. B. No. 113 was read a third time and passed by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Baldwin, Speer.—2.

Title agreed to.

H. B. No. 96 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Nichols, Norton, Page, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—16.

Noes—Emigh, Fisk, Jurgens, Kohrs, Moore, Perkins, Sloan.—7.

Absent—Speer.—1.

Title agreed to.

The rules were suspended, H. B. No. 90 was read a third time by title and passed by the following vote:

Ayes—Baldwin, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker.—22.

Noes—None.

Absent—Biddle, Speer.—2.

Title agreed to.

H. B. No. 70 was read a third time and passed by the following vote:

Ayes—Baldwin, Eastman, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle.—18.

Noes—Biddle, Emigh, Forbis, Mr. Speaker.—4.

Absent—Speer, Wells.—2.

Title agreed to.

H. B. No. 72 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—21

Noes—Hatch, Seligman.—2.

Absent—Speer.—1.

Title agreed to.

H. B. No. 101 was read a third time and passed by the following vote:

Ayes—Eastman, Emigh, Fisk, Jurgens, Nichols, Page, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—13.

Noes—Baldwin, Biddle, Forbis, Hatch, Kohrs, Moore, Perkins.—7.

Absent—Holt, Norton, Speer, Wells.—4.

Title agreed to.

By unanimous consent, Fisk introduced H. B. No. 121, "A bill to regulate the use of oleomargarine, butterine, suine or any substance or article which may or can be used as a substitute for butter or cheese, and to prevent any such substance or article being sold, disposed of or used except by its true name," read first and second times, rules suspended, bill considered engrossed and passed to a third reading.

The following report was received:

Mr. Speaker:

Your committee on engrossment to whom was referred H. B. No. 87, report the same back correctly engrossed as amended.

NICHOLS, Chairman.

H. B. No. 72 was read a third time and passed by the following vote:

Ayes—Biddle, Eastman, Fisk, Forbis, Holt, Jurgens, Page, Perkins, Potts, Seligman, Tingle, Mr. Speaker—12.

Noes—Baldwin, Emigh, Hatch, Kohrs, Moore, Robinson, Sloan, Taylor, Wells.—9.

Absent—Nichols, Norton, Speer.—3.

Mr. Fisk gave notice that he would on to-morrow, move to reconsider the vote by which H. B. No. 87 passed.

Mr. Forbis moved to reconsider the vote now.

The chair ruled him out of order, and Mr. Forbis appealed from the decision of the chair.

On motion of Mr. Baldwin, the house adjourned.

HARRY H. DAVIS, Chief Clerk.

FIFTY-NINTH DAY.

HOUSE OF REPRESENTATIVES.

Helena, M. T., March 11, 1885.

House met pursuant to adjournment at 10 o'clock a. m.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

Prayer by the chaplain.

Journal of the fifty-eighth day read and approved.

The following communication was received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT.

Helena, March 10, 1885.

To the House of Representatives:

I have the honor to inform the house of representatives that I have this day signed H. B's Nos. 62, 84, 91 and 93.

Very respectfully,

B. P. CARPENTER.

The following resolution was introduced:

By Seligman—H. J. R. No. 13, "For the employment of additional clerks."

Read first and second times, the rules were suspended, the resolution was considered engrossed and placed on its final passage. Passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker.—20.

Noes—None.

Absent—Emigh, Kohrs, Speer, Wells.—4.

Title agreed to.

Baldwin moved a call of the house. A call was had.

Absent—Fisk, Kohrs.

The absentees appeared in their seats and further call was dispensed with.

On motion of Page H. J. M. No. 3 was taken from the table and passed to a third reading.

The following report was received:

Mr. Speaker :

The committee on public lands have had under consideration H. J. M. No.3, objecting to the repeal of the desert land act, and while the effect of any memorial need not be seriously feared (and least of all one so unreasonable in its request as is this one) a minority of the committee desires to enter a protest against the principle involved in this proposed legislative action.

The law which it is asked shall be continued in force is one that was enacted in the interests of monopoly, and under which the titles to lands have been acquired contrary to all of the principles which should regulate the disposition of the public domain. There can in reason exist but one right to become the purchaser of public land, and that right rests alone upon actual occupation and settlement: without this requirement the rights of the people will be outraged, and the result will be that lands will be accumulated in the hands of the few, who will not only own the soil but practically the human beings who may occupy it.

The reason urged for continuing in force the present law, is that lands suitable for settlement in Montana have all or nearly all been appropriated. In this the memorial makes a misstatement of the facts, for it is well understood that much of that portion of the public domain now open for settlement is yet unclaimed, while a large proportion of the territory containing large areas of valuable land is included in Indian reservations, none of which has been appropriated, nor can it be until the reservations are opened for

settlement. But even admitting the statement in the memorial to be true, it is a well known fact that the rapid appropriation of lands of the choicest character in this territory is in a great part due to the existence of the desert land act under which all lands in Montana, except swamps and timber are subject to location, and it certainly would be most unwise to continue the sale of public lands in the wholesale manner, provided in this act, when the government can by a small expenditure of money render such lands fit for cultivation and thus provide homes for actual settlers.

The minority of your committee has but little fear that the passage of an unwise memorial by the Montana legislature will swerve congress from the cause of right which it has adopted in this matter, but for the credit of Montana, it is to be hoped this memorial will not pass and so the minority of your committee recommends.

FORBIS.

Forbis moved that the vote by which H. B. No. 87 passed the house, be now reconsidered and that motion laid on the table.

Motion lost by the following vote:

Ayes—Biddle, Eastman, Forbis, Holt, Norton, Page, Perkins, Potts, Robinson, Tingle, Mr. Speaker.—11.

Noes—Baldwin, Emigh, Fisk, Hatch, Jurgens, Kohrs, Moore, Nichols, Seligman, Sloan, Taylor, Wells.—12.

Absent—Speer.—1.

Fisk moved that the vote by which H. B. No. 87 passed the house, be reconsider.

Motion was carried by the following vote:

Ayes—Baldwin, Emigh, Fisk, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Seligman, Sloan, Taylor, Wells.—13.

Noes—Biddle, Eastman, Forbis, Holt, Page, Perkins, Potts, Robinson, Tingle, Mr. Speaker.—10.

Absent—Speer.—1.

Fisk moved that H. B. No. 87, be indefinitely postponed.

Motion carried by the following vote:

Ayes—Baldwin, Emigh, Fisk, Hatch, Kohrs, Nichols, Norton, Seligman, Sloan, Taylor, Wells.—12.

Noes—Biddle, Eastman, Forbis, Holt, Jurgens, Page, Perkins, Potts, Robinson, Tingle, Mr. Speaker.—11.

Absent—Speer.—1.

The following report was received :

Mr. Speaker :

We the undersigned members of your select committee composed of members from Gallatin, Silver Bow, Madison and Jefferson counties, to whom was referred H. B. No. 102, have had the same under consideration and report the same back with a substitute and recommend that the said substitute do pass.

NICHOLS.

FORBIS.

ROBINSON.

BALDWIN.

The report was adopted.

The following reports were received :

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 71 and 111 and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker :

Your joint committee on enrollment beg leave to report that C. J. R. No. 6 was presented to the governor by said committee on March 10, 1885, at 6 p. m.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 71 and 111.

On motion of Nichols the rules were suspended and H. B. No. 102 was considered engrossed and passed to a third reading by the following vote :

Ayes—Baldwin, Biddle, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Robinson, Tingle, Wells.
—15.

Noes—Eastman, Potts, Seligman, Sloan, Taylor, Mr. Speaker.
—6.

Absent—Fisk, Page, Speer.—3.

The following communications were received :

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that H. B. No. 12 has passed the council and the same is herewith transmitted.

DAVID MARKS, Chief Clerk.

H. B. No. 12 was ordered enrolled.

COUNCIL CHAMBER,
Helena, M. T., March 11, 1885.

Mr. Speaker :

I am instructed by the council to inform your honorable body that substitute for H. B. 57 has passed the council as amended and is herewith transmitted ; also,

C. B. No. 46 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

House concurred in council amendments to substitute for H. B. 57, and the same was ordered enrolled as amended.

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Mr. Speaker :

I am directed by the council to inform your honorable body that C. B. No. 90 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

On motion of Robinson C. B's Nos. 45, 67 and 69 were taken from the table and passed to third reading.

H. J. M. No. 3 was read a third time and passed by the following vote :

Ayes—Baldwin, Eastman, Emigh, Fisk, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Page, Potts, Robinson, Seligman, Sloan, Taylor, Wells, Mr. Speaker—18.

Noes—Biddle, Forbis, Jurgens, Perkins, Tingle.—5.

Absent—Speer.—1.

Title agreed to.

Mr. Speaker announced that he was now about to sign C. B's Nos. 36, 44, 53, and 62.

Under a suspension of the rules H. B. No. 121 was read a third time by its title and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker—23.

Noes—None.

Absent—Speer.—1.

Title agreed to.

Substitute for H. B. No. 102 was read a third time.

Nichols moved the previous question.

Motion lost by the following vote :

Ayes—Emigh, Hatch, Holt, Kohrs, Moore, Nichols, Norton, Robinson, Tingle, Wells.—10.

Noes—Baldwin, Biddle, Eastman, Fisk, Forbis, Jurgens, Perkins, Potts, Seligman, Sloan, Taylor, Mr. Speaker.—12.

Absent—Page, Speer.—2.

Fisk moved that the the bill be recommitted to a select committee with instructions, and that they report the same back at 2 p. m.

Motion lost by the following vote :

Ayes—Biddle, Eastman, Fisk, Holt, Jurgens, Page, Potts, Sloan, Mr. Speaker.—9.

Noes—Baldwin, Emigh, Forbis, Hatch, Kohrs, Moore, Nichols, Norton, Perkins, Robinson, Seligman, Taylor, Tingle, Wells.—14.

Absent—Speer.—1.

Fisk moved to take a recess.

Motion lost by the following vote.

Ayes—Eastman, Emigh, Fisk, Holt, Jurgens, Potts, Sloan, Taylor.—8.

Noes—Baldwin, Biddle, Forbis, Hatch, Kohrs, Moore, Nichols, Norton, Page, Perkins, Robinson, Seligman, Tingle, Wells, Mr. Speaker.—15.

Absent—Speer.—1.

Seligman moved the previous question.

The question being stated "Shall the main question be now put," was lost.

Fisk moved to take a recess.

Motion lost.

Seligman moved the previous question.

Fisk moved a call of the house. A call was had.

Absent—Speer. Further call was dispensed with.

Fisk moved to adjourn.

Motion lost by the following vote :

Ayes—Fisk, Sloan.—2.

Noes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—21.

Absent—Speer.—1.

Fisk appealed from the decision of the chair. Chair sustained by the following vote :

Ayes—Baldwin, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Fisk, Page, Sloan,—3.

Absent—Speer.—1.

The chair, Mr. Biddle, not voting,

The question being stated, "Shall the main question be now put?" was carried by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Robinson, Seligman, Tingle, Wells, Mr. Speaker.—19.

Noes—Fisk, Potts, Sloan, Taylor,—4.

Absent—Speer.—1.

Substitute for H. B. No. 102 was carried by the following vote :

Ayes—Baldwin, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Robinson, Tingle, Wells.—14.

Noes—Biddle, Eastman, Fisk, Page, Potts, Seligman, Sloan, Taylor, Mr. Speaker.—9.

Absent—Speer.—1.

Title agreed to.

Baldwin moved that the vote by which substitute for H. B. No. 102 passed the house be reconsidered and that motion laid on the table.

Motion carried.

On motion of Tingle the house took a recess until 2 p. m.

Two p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

C. B. No. 90, "An act to enable the county of Yellowstone to aid in the construction of a railroad," was read first and second times, the rules were suspended and the bill passed to a third reading.

C. B. No. 91, "A bill for an act concerning a jail in Meagher county," was read first and second times, the rules were suspended and the bill passed to a third reading.

C. B. No. 46, "A bill for an act to create a school text book commission," was read first and second times and passed to a third reading.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 57, and find same correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 57.

C. B. No. 74 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Norton, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—Page, Perkins.—2.

Absent—Holt, Nichols, Speer.—3.

Title agreed to.

C. B. No. 63 was read a third time and passed by the following vote :

Ayes—Baldwin, Eastman, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—18.

Noes—Biddle, Emigh, Fisk, Sloan.—4.

Absent—Holt, Speer.—2.

Title agreed to.

The following communication was received :

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Mr. Speaker :

I am instructed by the council, to inform your honorable body that H. J. R. No. 13 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

H. J. R. No. 13 was ordered enrolled.

C. B. No. 51 was read a third time and passed by the following vote :

Ayes—Baldwin, Eastman, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—20.

Noes—Biddle, Fisk, Moore.—3.

Absent—Speer.—1.

Title agreed to.

Substitute for C. B. No. 64 as amended, was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Speer.—1.

Title agreed to.

C. J. M. No. 3 was read a third time and passed by the following vote.

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—23.

Noes—None.

Absent—Speer.—1.

Title agreed to.

C. B. No. 81 was read a third time and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells, Mr. Speaker.—22.

Noes—None.

Absent—Nichols, Speer.—2.

Title agreed to.

C. B. No. 79 was read a third time and recommitted to a select committee consisting of Mr. Forbis for amendment.

C. J. R. No. 4 was read a third time and passed by the following vote:

Ayes—Baldwin, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Mr. Speaker.—18.

Noes—Biddle, Eastman, Forbis, Taylor.—4.

Absent—Speer, Wells.—2.

Title agreed to.

C. B. No. 90 was read a third time and passed by the following vote:

Ayes—Baldwin, Emigh, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Perkins, Robinson, Taylor, Tingle, Wells, Mr. Speaker.—16.

Noes—Biddle, Eastman, Fisk, Page, Potts, Seligman, Sloan.—7.

Absent—Speer.—1.

Title agreed to.

C. B. No. 91 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Wells, Mr. Speaker.—20.

Noes—Fisk.—1.

Absent—Emigh, Tingle, Speer—3.

Title agreed to.

C. B. No. 78 was read a third time and passed by the following vote :

Ayes—Baldwin, Eastman, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Page, Potts, Robinson, Seligman, Sloan, Tingle, Wells.—17.

Noes—Taylor.—1.

Absent—Biddle, Emigh, Norton, Perkins, Speer, Mr. Speaker.—6.

Title agreed to.

C. B. No. 45 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Kohrs, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Wells.—15.

Noes—Emigh, Fisk, Jurgens, Moore, Nichols.—5.

Absent—Norton, Speer, Tingle, Mr. Speaker.—4.

Title agreed to.

C. B. No. 67 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Page, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Wells.—18.

Noes—Emigh, Fisk, Norton, Taylor.—4.

Absent—Speer, Mr. Speaker.—2.

Title amended so as to read "An act in relation to road taxes."

C. B. No. 69 was read a third time and passed by the following vote :

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Holt, Jurgens, Kohrs, Page, Perkins, Potts, Robinson, Seligman, Sloan, Tingle, Wells.—16.

Noes—Emigh, Fisk, Moore, Nichols, Norton, Taylor, Mr. Speaker.—7.

Absent—Speer.—1.

Title agreed to.

Journal read and approved to 2 p. m.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

The following report was received :

Mr. Speaker :

Your committee on enrollment beg leave to report that H. J. R. No. 13 has been examined and found correctly enrolled. Same is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. J. R. No. 13.

The house again resolved itself into a committee of the whole for the further consideration of general orders.

Mr. Forbis in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, reported having had under consideration H. B. No. 69, had made progress, and asked leave to sit again.

On motion of Mr. Seligman the house took a recess until 9:30 p. m.

9:30 p. m., house resumed.

Mr. Potts in the chair.

There being no quorum present Mr. Forbis moved to adjourn.

Motion lost.

On motion of Mr. Nichols the house took a recess for ten minutes.

House resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

The following report was received:

Mr. Speaker:

The committee on ways and means to whom was referred H. B. No. 67, "A bill for an act authorizing the levy of an additional mill for territorial purposes," having had the same under consideration report a substitute for said bill and recommend its passage.

B. F. POTTS, Chairman.

Report adopted.

The rules were suspended, the substitute considered engrossed, read a third time and placed on its final passage.

Mr. Taylor moved that the bill be recommitted to the committee on ways and means.

On motion of Mr. Seligman the vote to recommit was laid on the table.

Substitute for H. B. No. 67 was passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Wells, Mr. Speaker.—20.

Noes—Taylor, Tingle,—2.

Absent—Sloan, Speer.—2.

Title agreed to.

On motion of Mr. Biddle the vote by which substitute for H. B. No. 67 passed, was reconsidered and that motion laid on the table.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined C. B. No. 27 and find same correct, which bill is herewith presented to the speaker for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign C. B. No. 27.

The house resolved itself into a committee of the whole for the consideration of general orders.

Mr. Forbis in the chair,

House resumed.

Mr. Speaker in the chair.

Mr. Forbis, chairman of the committee of the whole, reported having had under further consideration H. B. No. 69, and that the committee arose on account of there being no quorum.

The following communications were received.

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Mr. Speaker:

I am instructed by the council to inform your honorable body that H. B. No. 31, also C. B. No. 92, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the governor has signed C. B's Nos. 36, 44, 50, 53, 58, 62 and 72, C. J. R's Nos. 6 and 7.

The president announced the signing of C. B's Nos. 36, 44, 53 and 62.

H. B's Nos. 66, 74, 107, 106, 110, 114, 116, and H. J. M. No. 3, and H. B. No. 115 as amended, and H. J. R. No. 10 as amended have passed the council and are herewith transmitted.

H. J. R. No. 9 was lost and is transmitted.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,
Helena, Montana, March 11, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that C. B. No. 94 has passed and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The house concurred in the council amendments to H. B. No. 115, and H. J. R. No. 10, and bills as amended ordered enrolled.

H. B's Nos. 106, 74, 66, 116, 114, 107, 110, substitute for H. B. No. 31, and H. J. M. No. 3 were ordered enrolled.

Seligman moved that C. B. No. 38 be taken from general orders, the amendments engrossed, and the bill passed to a third reading.

Seligman moved the previous question.

The question being put "Shall the previous question be now put," was carried by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Hatch, Moore, Norton, Page, Perkins, Seligman, Wells.—11.

Noes—Baldwin, Forbis, Holt, Jurgens, Kohrs, Potts, Robinson, Tingle, Mr. Speaker.—9.

Absent—Nichols, Sloan, Speer, Taylor.—4.

Baldwin appealed from the decision of the chair.

The question being put, "Shall the decision of the chair be sustained?" was carried by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Robinson, Seligman, Wells, Mr. Speaker.—15.

Noes—Baldwin, Fisk, Potts, Taylor, Tingle,—5.

Absent—Sloan, Speer.—2.

C. B. No. 38 was the taken from general orders, the amendments ordered engrossed and passed to third reading by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Jurgens, Kohrs, Moore, Norton, Page, Perkins, Seligman, Wells,—14.

Noes—Baldwin, Forbis, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—7.

Absent—Nichols, Sloan, Speer.—3.

Seligman moved that the vote be reconsidered and that motion be laid on the table.

Motion carried.

At 1:15 a. m., on motion of Norton, the house took a recess until 10 a. m.

HARRY H. DAVIS, Chief Clerk.

SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,
Helena, Montana, March 12, 1885

Ten a. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Absent on leave—Speer.

Prayer by the chaplain.

Journal of the fifty-ninth day read and approved.

The following communication was received:

COUNCIL CHAMBER,
Helena, M. T., March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that C. B. No. 43 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

C. B. No. 94, "An act to amend section 11 of an act entitled an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle, approved March 10th, 1885," was read first and second times, the rules were suspended and bill placed on its final passage, read a third time and passed by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Mr. Speaker—19.

Noes—None.

Absent—Baldwin, Kohrs, Nichols, Speer, Wells.—5.

Title agreed to.

The following reports were received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 12 and H. B. No. 15, and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 12 and 15.

Mr. Speaker:

The special committee to whom was referred C. B. No. 76, A bill for an act entitled an act to incorporate the city of Helena, approved

February 22d, 1881, having had the same under consideration, report the same back and recommend its passage.

POTTS.
JURGENS.
SELIGMAN.

Report adopted.

The rules were suspended, the bill read third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Moore,, Norton, Page, Perkins, Potts, Robinson, Seligman, Taylor, Tingle, Wells, Mr. Speaker.—19.

Noes—None.

Absent—Baldwin, Kohrs, Nichols, Sloan, Speer.—5.

Title agreed to.

Mr. Speaker :

Your committee on education and labor herewith report H. B. No. 119, and recommend its passage.

WELLS, Chairman.

Report adopted,

The rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker :

The committee on education and labor to whom was referred H. B. No. 58, A bill for an act entitled "an act to establish a series of text books for the public schools" having had said bill under consideration herewith report the same with the recommendation that it be indefinitely postponed.

WELLS, Chairman.

Report received.

The rules were suspended, the bill considered engrossed and passed to a third reading.

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined C. B. No. 64, and find same correctly enrolled which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign C. B's Nos. 50, 72, 85, 64 and C. J. R. No. 7.

Mr. Speaker:

Your committee on engrossment, to whom was referred C. B. No. 38, report the same back with house amendments correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

C. B. No. 92, "An act to encourage the propagation of quail and to punish killing thereof," was read first and second times, the rules were suspended, and the bill placed on its final passage, read third time by tittle and passed by the following vote:

Ayes—Biddle, Eastman, Fisk, Forbis, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Wells, Mr. Speaker.—19.

Noes—None.

Absent—Baldwin, Emigh, Holt, Speer, Tingle.—5.

Title agreed to.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am instructed by the council, to inform your honorable body that substitute for H. B. 102 and H. B. No. 113 as amended has passed the Council and they are herewith transmitted.

DAVID MARKS, Chief Clerk.

The house concurred in the council amendments to H. B. No. 113.

Substitute for H. B. No. 102 and H. B. 113, were ordered enrolled.

Mr. Speaker:

I move to amend C. B. No. 38, as per accompanying amendments, herewith submitted.

SELIGMAN.

Motion carried, amendments adopted, considered engrossed, and bill passed to a third reading.

Mr. Tingle introduced H. B. No. 122, "A bill for an act to prohibit contractors with the territory from holding seats as members of the legislative assembly," was read first and second times, the rules were suspended, the bill considered engrossed and passed to a third reading.

The following report was received:

Mr. Speaker:

The judiciary committee herewith report H. B's Nos. 4, 10, 65 and 95; also C. B's Nos. 26, 30, 55, 57 and 73, and ask to be discharged from further consideration thereof.

POTTS.
BALDWIN.
EASTMAN.
FORBIS.

Report adopted.

On motion of Biddle the bills were indefinitely postponed.

On motion of Mr. Potts H. B. No. 69 was taken from general orders.

Mr. Speaker:

I move to amend H. B. No. 69 as per accompanying amendments herewith transmitted.

FORBIS.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that council substitute for H. B. No. 23 has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The following reports were received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B. No. 102 and C. B. No. 90 and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 102 and C. B. No. 90.

The following reports were received :

Mr. Speaker :

Your committee on elections have had under consideration H. B. No. 6, also C. B. No. 6, and believing the substance of such bills is in great measure incorporated in the registration act herewith report the same back to the house for such action as the house may desire.

FORBIS.

H. B. No. 6 and C. B. No. 6 were indefinitely postponed.

Mr. Speaker :

Your select committee consisting of one, the undersigned, has had under consideration C. B. No. 79, and herewith reports the same back with the accompanying amendments, and as so amended recommends unanimously that said bill do pass.

FORBIS.

Report adopted, rules suspended, amendments considered engrossed and bill passed to a third reading.

Mr. Speaker :

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 107, 116, 74, 66, 106, and C. B. No. 42, which are correctly enrolled and same herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 107, 116, 74, 66, and 106, and C. B. No. 42.

Mr. Speaker :

Your joint committee on enrollment beg leave to report that H. B's Nos. 12, 15, 27, 57, 71, and 111, C. B. No. 64, and H. J. R. No. 13 were presented to the governor for his approval by said committee on March 12, at 11:15 a. m.

TINGLE, Chairman of House Com.

Mr. Speaker :

The chairman of the committee on agriculture and manufactures here states that the committee have not further considered C. B. No. 35 since its recommittal to them. The undersigned, however, here returns the bill to the house, asks that the committee be discharged from further consideration of it, and recommends that it be passed forthwith.

FISK.

Amendments considered engrossed and bill passed to third reading under a suspension of the rules.

Mr. Speaker:

Your committee on towns and counties to whom was referred C. B. No. 66, "An act to provide for the incorporation of villages of the territory of Montana," have not had time to give the bill the consideration which the subject demands, and beg leave to report the same back and ask to be relieved from further consideration of the same.

NORTON, Chairman.

ROBINSON.

EMIGH.

HATCH.

SLOAN.

Report received.

The rules were suspended, H. B. No. 122 was read a third time by title and passed by the following vote:

Ayes—Baldwin, Biddle, Eastman, Forbis, Hatch, Jurgens, Nichols, Norton, Page, Seligman, Tingle, Wells, Mr. Speaker.—13.

Noes—Fisk, Holt, Kohrs, Perkins, Sloan, Taylor.—6.

Absent—Emigh, Moore, Potts, Robinson, Speer.—5.

Title agreed to.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 115 and 113, which are correctly enrolled, and herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 113 and 115.

On motion of Seligman the house took a recess until 1:30 p. m.

1:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

Mr. Fisk introduced the following resolution:

HOUSE RESOLUTION NO. —.

Be it resolved by the house of representatives of the territory of Montana that in view of this being the last day of the session and in view of the amount of work on hand, debate be limited to five minutes for a member, on any subject.

FISK.

Resolution adopted by the following vote:

Ayes—Biddle, Fisk, Holt, Kohrs, Moore, Nichols, Norton, Page, Perkins, Robinson, Seligman, Sloan, Wells, Mr. Speaker.—14.

Noes—Baldwin, Forbis, Jurgens, Potts, Taylor,—5.

Absent—Eastman, Emigh, Hatch, Speer, Tingle,—5.

Mr. Seligman moved that the vote by which the resolution was passed be reconsidered and that motion laid on the table.

Motion carried.

The following communications were received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that H. B's Nos. 53 and 78 were read a third time and lost.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the president announced the signing of H. B's Nos. 57, 111, 71, 12, 15, H. J. R. No. 13, and C. B's Nos. 27, 72, 50, 58, 67, and C. J. R. No. 7; also,

H. B's Nos. 74, 116, 66, 106, 107, C. B. No. 95, H. B's Nos. 70, 67, 82 have passed the council and are herewith transmitted.

H. B's Nos. 77, 83 and 108 as amended, have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

H. B's Nos. 67, 70 and 82 were ordered enrolled.

House concurred in council amendments to H. B's Nos. 83, 108, and 77.

Bills ordered enrolled as amended.

The following reports were received.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. J. M. No. 3, H. J. R. No. 10, H. B's Nos. 31 and 114, and find same correctly enrolled, which are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. J. M. No. 3, H. J. R. No. 10, H. B's Nos. 31 and 114.

Mr. Speaker:

The committee on judiciary to whom was referred H. B. No. 49 entitled "An act to amend sections 378 and 399 of the Criminal Practice Act," have duly considered the same and report it back with the recommendation that it do pass.

FORBIS.

POTTS,

BALDWIN.

Forbis moved that the house do concur in council amendments to H. B. No. 23.

Seligman moved that the house do not concur.

Seligman's motion carried.

On motion of Forbis the house asked the council to recede from its amendments to H. B. No. 23.

The following report was received:

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 70, 82, and 110 and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE,

Mr. Speaker announced that he was now about to sign H. B's Nos. 70, 82 and 110.

Journal of the sixtieth day read and approved up to 1:30 p. m.

On motion of Page H. B. No. 94 was taken from general orders and passed to a third reading.

Biddle moved that H. B. No. 94 be made a special order at 12 M. to-morrow.

Motion lost by the following vote :

Ayes—Baldwin, Hatch, Jurgens, Kohrs, Seligman, Sloan.—6.

Noes—Biddle, Eastman, Emigh, Fisk, Forbis, Holt, Nichols, Norton, Page, Perkins, Potts, Robinson, Taylor, Tingle, Wells, Mr. Speaker.—16

Absent—Moore, Speer.—2.

The following report was received :

Mr. Speaker :

The committee on the judiciary to whom was recommtted C. B. No. 39, entitled "An act to amend section 253 of the code of civil procedure," have duly considered the same and respectfully report it back and recommend that it be amended in accordance with amendment thereto attached, and when so amended that said bill do pass.

POTTS.
BALDWIN.
EASTMAN.

Report adopted, amendment ordered engrossed and bill passed to third reading.

Under a suspension of the rules Wells introduced H. B. No. 123, "A bill for an act entitled an act relating to the appointment of game wardens."

Read first and second times, rules suspended, bill considered engrossed and passed to a third reading.

The following reports were received :

Mr. Speaker :

Your joint committee on enrollment beg leave to report that they have examined C. B's Nos. 51, 63, 81, 94, and C. J. R. No. 4, and find same correctly enrolled, which are herewith presented to the speaker of the house for his signature.

TINGLE, Chairman House Com.

Mr. Speaker announced that he was now about to sign C. B's Nos. 51, 63, 81, 94, and C. J. R. No. 4.

Mr. Speaker :

Your committee on engrossment to whom was referred C. B. No. 39 report the same back with amendments correctly engrossed.

NICHOLS, Chairman.

Bill passed to a third reading.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the president has signed H. B's Nos. 110, 10, 115, 70, 82, 114, 31, and H. J. M. No. 3.

H. B's Nos. 103, 121, 109, and 120 have passed the council and are herewith transmitted.

DAVID MARKS, Chief Clerk.

H. B's Nos. 103, 109, 120, and 121 were ordered enrolled.

C. B. No. 95 was read a first time and on objection of Mr. Taylor was laid on the table for a second reading.

C. B. No. 43 was read first and second times and referred to the committee on ways and means.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the council recedes from its substitute to H. B. No. 23 and the same is herewith transmitted.

DAVID MARKS, Chief Clerk.

H. B. No. 23 was ordered enrolled.

The following reports were received:

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H. B's Nos. 66, 74, 102, 106, 107, and 116, also C. B's Nos. 42, 90, and 2, were presented by said committee to the governor for his approval March 12, 1885, at 1:20 p. m.

TINGLE,
Chairman of House Committee.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 67, 83, 108, and 77, and find same correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 67, 83, 108 and 77.

On motion of Forbis the house suspended for twenty minutes to allow the speaker to sign bills.

Tingle moved a call of the house. A call was had. Absent—Baldwin, Forbis, Holt, Jurgens, Speer.

A further call was dispensed with.

Seligman moved that C. B. No. 38 be put on its final passage.

Forbis moved a call of the house. Call commenced, and on motion was dispensed with.

The following communications were received :

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885

Mr. Speaker :

I am directed by the council to inform your honorable body that H. B. No. 47 is herewith transmitted.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,
Helena, M. T., March 12, 1885

Mr. Speaker :

I am directed by the council to inform your honorable body that the council reconsidered the vote by which it receded from its amendments to H. B. No. 23, and respectfully ask for the return of the bill.

DAVID MARKS, Chief Clerk.

On motion of Forbis H. B. No. 23 was recalled from the committee on enrollment and returned to the council.

Mr. Seligman's motion that C. B. No. 38 be put on its final passage not receiving the necessary two-thirds vote, Mr. Speaker declared the motion lost.

Seligman appealed from the ruling of the chair.

Sloan moved the previous question. The question being stated "Shall the main question be now put," was carried by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Hatch, Holt, Kohrs, Moore, Norton, Page, Perkins, Seligman, Sloan, Wells.—14.

Noes—Baldwin, Forbis, Jurgens, Nichols, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—9.

Absent—Speer.—1.

The question being put "Shall the decision of the chair be sustained," was carried by the following vote:

Ayes—Baldwin, Biddle, Forbis, Hatch, Holt, Jurgens, Kohrs, Nichols, Page, Perkins, Potts, Robinson, Taylor, Tingle.—14.

Noes—Eastman, Emigh, Fisk, Moore, Norton, Seligman, Sloan, Wells.—8.

H. B. No. 119 was read a third time.

The following reports were received:

Mr. Speaker:

Your joint committee on enrollment beg leave to report that H. B's Nos. 70, 113, 115, 110, 82, 114, 31, and H. J. R. No. 10, were presented by said committee to the governor for his approval on March 12, 1885, at 3:30 p. m.

TINGLE, Chairman House Committee.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 103, 120, 121, and C. B's Nos. 45, 67, 69, 76, 78, 92, which are correctly enrolled, and same are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 103, 120, 121, and C. B's Nos. 45, 67, 69, 76, 78, and 92.

Journal read and approved to date, 4:45 p. m.

The following communications were received:

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 12, 1885.

To the House of Representatives:

I have the honor to inform the house of representatives that I have this day signed H. B's Nos. 57, 111, 15, 71, 12, and H. J. R. No. 13.

Very respectfully,

B. P. CARPENTER.

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the president has signed C. B's Nos. 94, 63, 51, 81.

C. B's Nos. 80 and 89 have been lost.

H. B. No. 122 was indefinitely postponed, and is herewith transmitted.

H. B. No. 104 was laid on the table.

H. B's Nos. 117 and 101 as amended have passed the council and are transmitted.

The council refuses to recede from its amendments to H. B. No. 23.

DAVID MARKS, Chief Clerk.

On motion of Eastman the house concurred in council amendments to H. B. No. 101.

Bill ordered enrolled as amended.

H. B. No. 117 was ordered enrolled.

The following report was received :

Mr. Speaker :

Your committee on engrossment to whom was referred H. B. No. 69 report the same back correctly engrossed.

NICHOLS, Chairman.

H. B. No. 69 was passed to a third reading. Read third time and passed by the following vote :

Ayes—Biddle, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Wells.—20.

Noes—Baldwin, Tingle, Mr. Speaker.—3.

Absent—Speer.—1.

Title agreed to.

The following communication was received :

COUNCIL CHAMBER,
Helena, M. T., March 12, 1885

Mr. Speaker :

I am directed by the council to inform your honorable body that H. B. No. 25 as amended has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

Fisk moved that council amendments to H. B. No. 25 be laid on the table.

Motion lost by the following vote :

Ayes—Baldwin, Fisk, Hatch, Kohrs, Moore, Sloan, Taylor.—7.

Noes—Biddle, Eastman, Emigh, Forbis, Holt, Jurgens, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Tingle, Wells, Mr. Speaker.—16.

Absent—Speer.—1.

Tingle moved that the house concur in council amendments to H. B. No. 25.

Baldwin moved that the house do not concur, and that a committee of conference be asked of the council.

Motion lost by the following vote :

Ayes—Baldwin, Eastman, Fisk, Hatch, Kohrs, Moore, Sloan, Taylor.—8.

Noes—Biddle, Emigh, Forbis, Holt, Jurgens, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Tingle, Wells, Mr. Speaker.—15.

Absent—Speer.—1.

Tingle's motion to concur in council amendments to H. B. No. 25 was then carried.

Biddle moved that the vote by which the house concurred in council amendments to H. B. No. 25 be reconsidered and that motion be laid on the table.

Motion carried.

H. B. No. 25 as amended was ordered enrolled.

The house suspended until 7:30 p. m. this evening.

7:30 p. m., house resumed.

Mr. Speaker in the chair.

Roll called—quorum present.

On motion of Seligman H. B's Nos. 58, 123, 119 and 94 were laid on the table.

Mr. Tingle moved a call of the house. Call commenced and on motion was dispensed with.

On motion of Mr. Seligman C. B's Nos. 49, 46, and 35 were temporarily laid on the table.

C. B. No. 38 was read a third time.

Nichols moved that this bill be indefinitely postponed.

Motion lost by the following vote :

Ayes—Baldwin, Forbis, Hatch, Moore, Nichols, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—10.

Noes—Biddle, Eastman, Emigh, Fisk, Jurgens, Kohrs, Norton, Page, Perkins, Seligman, Sloan, Wells.—12.

Absent—Holt, Speer.—2.

The following reports were received :

Mr. Speaker:

Your joint committee on enrollment beg leave to report that C. B's Nos. 51, 63, 81, 94, and C. J. R. No. 4 were presented by said committee to the governor for his approval March, 12, 1885, at 4 p. m.

TINGLE, Chairman House Com.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined C. J. M. No. 3 and find same correctly enrolled, which is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined H. B's Nos. 101, 109 and 117, which bills are correctly enrolled, and same are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker:

Your committee on enrollment beg leave to report that they have examined C. B's Nos. 91, 74, 64, and find same correctly enrolled, and same are herewith presented to the speaker of the house for his signature.

TINGLE,

Mr. Speaker announced that he was now about to sign C. J. M. No. 3, Sub. C. B. No. 64, C. B's Nos. 91 and 74 and H. B's Nos. 117, 109, 101.

Mr. Speaker:

Your committee on enrollment beg leave to report that C. B's Nos. 45, 67, 69, 76, 78 and 92, and H. B's Nos. 103, 120, and 121, were presented by said committee to the governor for his approval March 12, 1885, at 8:30 p. m.

C. B. No. 38 was passed by the following vote:

Ayes—Biddle, Eastman, Emigh, Fisk, Jurgens, Kohrs, Norton, Page, Perkins, Seligman, Sloan, Wells.—12.

Noes—Baldwin, Forbis, Hatch, Holt, Moore, Nichols, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—11

Absent—Speer.—1.

Title agreed to.

Biddle moved to reconsider the vote by which C. B. No. 38 was passed, and to lay that motion on the table.

Motion carried.

The following communications were received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that the council concurred in house amendments to C. B. No. 38.

DAVID MARKS, Chief Clerk.

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 12, 1885.

To the House of Representatives:

I have the honor to inform the house of representatives that I have this day signed H. B's Nos. 66, 107, 106, 116, 74, 115, 114, 110, 113, 77, 67, 108 and 83, and H. J. R. No. 10.

Very respectfully,

B. P. CARPENTER.

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that C. B. No. 65 and H. B's Nos. 96 and 99 have passed the council and are herewith transmitted.

H. B's Nos. 100 and 118 have been lost.

H. B. No. 90 has passed and is herewith transmitted.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that Mr. President announced the signing of H. B's Nos. 83, 67 and 77

The governor has signed C. B's Nos. 64, 27, and 94.

H. B. No. 72, with title amended to read "An act to suppress hurdy gurdy dance houses," has passed the council and is herewith transmitted.

DAVID MARKS, Chief Clerk.

COUNCIL CHAMBER,
Helena, M. T., March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that H. J. R. No. 12 has been indefinitely postponed and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The house concurred in council amendments to H. B. No. 12.

H. B's Nos. 100, 118, 96, 90, 99 and 72 as amended were ordered enrolled.

On motion of Fisk the house reconsidered the vote by which it refused to concur in the council amendments to H. B. No. 47 by the following vote:

Ayes—Eastman, Emigh, Fisk, Hatch, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Sloan, Wells.—13.

Noes—Biddle, Forbis, Holt, Potts, Robinson, Taylor, Mr. Speaker.—7.

Absent—Baldwin, Seligman, Speer, Tingle,—4.

On motion of Fisk the house concurred in council amendments to H. B. No. 47.

Forbis moved to take C. B. No. 46 off the table and put it on its final passage. Fisk moved to lay this motion on the table.

Motion lost by the following vote:

Ayes—Emigh, Fisk, Kohrs, Norton, Sloan,—5.

Noes—Baldwin, Eastman, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Page, Perkins, Potts, Robinson, Seligman, Taylor, Wells, Mr. Speaker.—16.

Absent—Biddle, Speer, Tingle,—3.

Forbis' motion was then carried by the following vote:

Ayes—Baldwin, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Page, Perkins, Potts, Robinson, Taylor, Mr. Speaker.—13.

Noes—Eastman, Emigh, Fisk, Kohrs, Norton, Seligman, Sloan. Wells,—8.

Absent—Biddle, Speer, Tingle.—3.

C. B. No. 46 was read a third time.

The house suspended for ten minutes.

House resumed.

Mr. Speaker in the chair.

The following reports were received :

Mr. Speaker:

Your committee on enrollment beg leave to report H. B. No. 25 correctly enrolled. Same is herewith presented to the speaker for his signature.

TINGLE.

Mr. Speaker :

Your committee on enrollment beg leave to report H. B's Nos. 90, 96, 72, correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 25, 90, 96 and 72.

Hatch moved a call of the house. Call commenced, and on motion was dispensed with.

The following communication was received:

COUNCIL CHAMBER,
Helena, Montana, March 12, 1885.

Mr. Speaker:

I am directed by the council to inform your honorable body that H. B. No. 69 was lost and is herewith transmitted.

DAVID MARKS, Chief Clerk.

The following report was received :

Mr. Speaker :

Your committee on enrollment beg leave to report H. B's Nos. 99 and 118 are correctly enrolled, which bills are herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B's Nos. 99 and 118.

The following protest was received.

Be it remembered that after C. B. No. 38 had passed the house with amendments, and had been transmitted to the council with amendments attached, the speaker of the house ordered the clerk to transmit to the council certain amendments and explanations of amendments which were not attached to the bill and were not read upon the final passage of the bill, and which, so far as we were aware, were not a part of the original bill, and we hereby protest against the proceeding.

JOHN F. FORBIS.
J. T. BALDWIN.
B. F. POTTS.
GEORGE M. HATCH.
GEO. R. NICHOLS.
GEO. R. TINGLE.
JOHN M. ROBINSON.
J. F. TAYLOR.

Tingle introduced H. J. R. No. 14.

Read first and second times, the rules were suspended, resolution considered engrossed and passed to a third reading.

Read third time by title and passed by the following vote :

Ayes—Baldwin, Eastman, Emigh, Fisk, Forbis, Hatch, Holt, Jurgens, Kohrs, Moore, Nichols, Norton, Page, Perkins, Potts, Robinson, Seligman, Sloan, Taylor, Tingle, Wells and Mr. Speaker.—22.

Noes—None.

Absent—Biddle, Speer.—2.

Title agreed to.

Fisk moved a call of the house. Call commenced, and on motion was dispensed with.

C. B. No. 46 was passed by the following vote :

Ayes—Baldwin, Forbis, Hatch, Jurgens, Moore, Nichols, Page, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—12.

Noes—Biddle, Eastman, Emigh, Fisk, Holt, Kohrs, Norton, Perkins, Seligman, Sloan, Wells.—11.

Absent—Speer.—1.

Title agreed to.

Baldwin moved that the vote by which C. B. No. 46 was passed, be reconsidered, and that motion be laid on the table.

Motion carried by the following vote :

Ayes—Baldwin, Forbis, Hatch, Holt, Jurgens, Moore, Nichols, Page, Potts, Robinson, Taylor, Tingle, Mr. Speaker.—13.

Noes—Biddle, Eastman, Emigh, Fisk, Kohrs, Norton, Perkins Seligman, Sloan, Wells.—10.

Absent—Speer.—1.

Fisk moved that the chairman of the committee on enrollment be ordered to report on H. B. No. 47.

Motion carried.

The journal was read and approved up to this hour—11:40 p. m.

The following reports were received :

Mr. Speaker :

Your joint committee on enrollment beg leave to report that H. B's Nos. 72, 96, 99, 90 and 118 were presented to the governor for his signatnre by said committee March 12, 1885, at 11:20 p. m.

TINGLE, Chairman of House Com.

Mr. Speaker:

Your committee on enrollment beg leave to report that C. B's Nos. 64, 74, 91, and C. J. M. No. 3 and H. B's Nos. 101, 109, 117, and 25 were presented to the governor by said committee for his approval March 12, 1885.

TINGLE, Chairman House Com.

Mr. Speaker :

Your joint committee on enrollment beg leave to report that H. B. No. 47 has been examined and same is correctly enrolled, which bill is herewith presented to the speaker of the house for his signature.

TINGLE.

Mr. Speaker announced that he was now about to sign H. B. No. 47.

The following communications were received :

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT,
Helena, March 12, 1885.

*To the *House of Representatives :*

I have the honor to inform the house of representatives that I

have this day signed H. B's Nos. 101, 103, 109, 117, 121, 120.

Very respectfully,

B. P. CARPENTER.

TERRITORY OF MONTANA, EXECUTIVE DEPARTMENT.

Helena, March 12, 1885.

To the House of Representatives :

I have the honor to inform the house of representatives that I have this day signed H. B's Nos. 25, 90 and 118.

B. P. CARPENTER, Governor.

The chair appointed Messrs. Potts, Forbis and Baldwin as a committee to wait on the governor to ask him if he had any further communication to make to this body.

The following resolutions were received and adopted:

Be it resolved that the members of the house of this fourteenth legislative assembly do hereby tender thanks to James E. Callaway, speaker of the house, not as a custom, but think that the same are justly due to him for his ability and fairness that he has shown in conducting the business of this session of the legislative assembly.

FORBIS.

Resolved, that the thanks of the house are due and are hereby tendered to Harry H. Davis, Chief Clerk, and his associates, for the able and faithful manner in which they have discharged their respective and arduous duties.

PAGE.

Mr. Potts, chairman of the committee appointed to wait on the governor, reported that the governor had no further communication to make.

Journal read and approved up to this hour.

The hour of 12 M. having arrived the gavel fell, and Mr. Speaker declared the house of representatives of the fourteenth session of the legislative assembly of Montana adjourned without day.

ATTEST:

HARRY H. DAVIS, Chief Clerk.

